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Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns

Addendum

Observations on communications transmitted to Governments and replies received*

* The present document is being circulated in the languages of submission only.

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Contents

		Paragraphs	*Page*
I.	Introduction	1–3	5
II.	Classification of communications and replies	4–7	5
	A. Violations alleged	5	5
	B. Character of replies received	6	6
	C. Observations of the Special Rapporteur	7	7
III.	Tabulation of communications and replies		8
IV.	Tabulation of communications requesting stay of executions	8	15
V.	Summary of cases transmitted and replies received to communications sent within the reporting period	9–111	24
	Afghanistan	9	24
	Algeria	10	24
	Angola	11–13	24
	Argentina	14	25
	Bangladesh	15	25
	Belarus	16–19	26
	Belize	20	27
	Bolivia (Plurinational State of)	21	27
	Brazil	20–24	27
	Cambodia	25	28
	Cameroon	26	29
	Central African Republic	27	29
	China	28	29
	Colombia	29–33	30
	Cuba	34	31
	Democratic People's Republic of Korea	35	32
	Dominican Republic	36	32
	Egypt	37–39	32
	Equatorial Guinea	40	33
	Guatemala	41	33
	Haiti	42	34
	Honduras	43–5	34
	India	46–50	35
	Indonesia	51	37

	Iran (Islamic Republic of)	52–56	37
	Iraq	57–61	39
	Israel	62	41
	Kenya	63	41
	Libya	64	42
	Mexico	65–69	42
	Myanmar	70–71	43
	Nigeria	72	44
	Norway	73	44
	Pakistan	74	45
	Peru	75	45
	Philippines	76	45
	Saudi Arabia	78–82	45
	Somalia	83	47
	South Sudan	84	47
	Sri Lanka	85–88	48
	Sudan	89	49
	Sweden	90	49
	Switzerland	91	50
	Syrian Arab Republic	92	50
	Thailand	93-94	50
	Tunisia	95	50
	Turkey	96–98	51
	Ukraine	99	52
	United Arab Emirates	100–102	52
	United Republic of Tanzania	103	53
	United States of America	104–107	53
	Venezuela (Bolivarian Republic of)	108	55
	Yemen	109-110	55
	State of Palestine	111	55
VI.	Observations to cases transmitted and replies received to communications sent prior to the reporting period	112–126	56
	Brazil	112–115	56
	Colombia	116–117	57
	India	118–120	57
	Iran (Islamic Republic of)	121	58

Saudi Arabia		122	59
Sudan		123-124	59
Syrian Arab Republic		125	60
Tunisia		126	60

I. Introduction

1. The present report contains observations by the Special Rapporteur on extrajudicial, summary or arbitrary executions on communications sent between 1 March 2013 and 28 February 2014 and responses received from States and other actors between 1 May 2013 and 30 April 2014. During the period under review, the Special Rapporteur sent a total of 128 communications to 55 States and other actors. This includes 75 urgent appeals and 53 allegation letters. The main issues covered in the communications were attacks or killings (56), the death penalty (39), excessive use of force (21), death threats (22), deaths in custody (8), impunity (2), expulsion (4) and armed conflict (4). The numbers if of the main issues do not accord with the total number of communications due to the fact that some communications addressed more than one issue.

2. The Special Rapporteur received responses to 53 communications sent within the reporting period. He thanks all Governments who have replied to his communications for their cooperation. 75 of the communications are yet to be responded to. In all instances where no responses were received, the Special Rapporteur urges Governments to provide substantive responses. In this period, the Special Rapporteur also received replies to 14 previous communications, i.e. sent prior to the reporting period. This amounts to approximately 41,4 % response rate which represents a decrease compared to the 45,6 % response rate observed for the previous reporting period 2012-2013 (see A/HRC/23/47/Add.5, para. 2).

3. In its resolution 17/5, the Human Rights Council urged States "[t]o cooperate with and assist the Special Rapporteur in the performance of his or her tasks, to supply all necessary information requested by him or her and to react appropriately and expeditiously to his or her urgent appeals, and those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to do so without further delay". Therefore, the Special Rapporteur reiterates his appeal to all Governments to respond to communications in a timely manner so as to assist and cooperate with his mandate efficiently in accordance with Human Rights Council Resolution 17/5.

II. Classification of communications and replies

4. For ease of reference, this report summarizes the correspondence regarding each communication. Communications have been grouped by country, with countries listed alphabetically according to their names in English. Each communication is referenced as urgent appeal (UA), allegation letter (AL), joint urgent appeal (JUA) and joint allegation letter (JAL). This is followed by the date when the communication was issued, as well as the case number and, when applicable, the State's reply. The electronic version of the present document has both of these items hyperlinked, and clicking on them will open the communication sent and the reply from the concerned State, respectively, as uploaded on the OHCHR website. Finally, in bold, is a summary of the allegations contained in the communication in the language of submission. All communications are also available in the Special Procedures communication reports.

A. Violations alleged

5. In the table on communications and replies contained in section III, the violations are classified into the following categories:

(a) Non-respect of international standards on safeguards and restrictions relating to the imposition of capital punishment ("Death penalty safeguards");

(b) Death threats and fear of imminent extrajudicial executions by State officials, paramilitary groups, or groups cooperating with or tolerated by the Government, as well as unidentified persons who may be linked to the categories mentioned above, when the Government is failing to take appropriate protection measures ("Death threats");

(c) Deaths in custody owing to torture, neglect, or the use of force, or fear of death in custody due to life-threatening conditions of detention ("Deaths in custody");

(d) Deaths due to the use of force by law enforcement officials or persons acting in direct or indirect compliance with the State, when the use of force is inconsistent with the criteria of absolute necessity and proportionality ("Excessive force");

(e) Deaths due to attacks or killings by security forces of the State, or by paramilitary groups, death squads, or other private forces cooperating with or tolerated by the State ("Attacks or killings");

(f) Violations of the right to life during armed conflict, especially of the civilian population and other non-combatants, contrary to international humanitarian law ("Violations of right to life in armed conflict");

(g) Expulsion, *refoulement*, or return of persons to a country or a place where their lives are in danger ("Expulsion");

(h) Impunity, compensation and the rights of victims ("Impunity").

The short versions contained in parentheses are used in the tabulation of communications.

B. Character of replies received

6. The replies received have been classified according to the following six categories designed to assist the Human Rights Council in its task of evaluating the responses received to the communications sent within the reporting period and the effectiveness of the mandate:

(a) "No response" denotes the absence of a response to a communication sent within the reporting period;

(b) "Recent communication" denotes the absence of a response to a communication sent within the past 60 days;

(c) "Procedural response" refers to a reply acknowledging receipt that the communication was received and/or that it has been transmitted to the relevant State authorities;

(d) "Addresses some substantive issues" characterizes a reply that provided information on certain substantive issues raised in the communication;

(e) "Substantive response" denotes a reply that is responsive to the allegations and that substantively clarifies the facts. It does not, however, imply that the action taken necessarily complies with international human rights law.

(f) "Translation awaited" indicates that a response has been received, but has not yet been translated by the relevant services of the United Nations.

C. Observations of the Special Rapporteur

7. In order to underscore the importance of the dialogue between the Special Rapporteur and States, this report contains brief comments by the Special Rapporteur on the extent to which he considers each reply to have responded adequately to the concerns arising under the mandate. An indication is also provided in instances in which additional information is required to respond effectively to the information received.

III. Tabulation of communications and replies

Country	Type of communication*	Date	Subject(s) concerned	Character of reply	Violation(s) alleged
Afghanistan	JAL	29/11/2013	Group concern (1 named male)	No response	Violations of right to life in armed conflict; excessive use of force
Algeria	JAL	30/12/2013	Group concern	11/04/2014	Attacks or killings; impunity
Angola	JAL	29/08/2013	2 females	10/01/2014	Attacks or killings
Argentina	JAL	05/12/2013	Group concern (3 named males)	08/01/2014	Excessive use of force
Bangladesh	JAL	23/12/2013	Group of individuals	30/12/2013 26/03/2014	Attacks or killings
	JUA	22/03/2013	Group of individuals (11 named males)	No response	Excessive use of force; death penalty safeguards
	JUA	25/06/2013	1 male	27/06/2013	Attacks or killings (enforced disappearance)
	JUA	27/12/2013	Group concern (20 named males)	No response	Excessive use of force
Belarus	JUA	01/10/2013	3 males	18/12/2013	Death penalty safeguards
	JUA	08/01/2014	1 male	31/03/2014	Death penalty safeguards
Belize	AL	06/02/2014	1 male	No response	Attacks or killings
Bolivia	JAL	27/02/2014	1 female	No response	Death threats
Brazil	JUA	03/06/2013	Group of individuals (including 1 named male)	16/09/2013	Excessive use of force
	JUA	27/02/2014	2 males	28/04/2014	Deaths in custody
Cambodia	JUA	01/10/2013	Group concern (7 named males)	No response	Excessive use of force
	JUA	28/02/2014	Group concern	No response	Excessive use of force
Cameroon	JUA	13/08/2013	1male	No response	Attacks or killings
	JAL	04/09/2013	Group of individuals	No response	Attacks or killings; death threats

* Type of Communication: UA: Urgent Appeal; JUA: Joint Urgent Appeal; AL: Letter of Allegation; JAL: Joint Letter of Allegation

Country	Type of communication*	Date	Subject(s) concerned	Character of Reply	Violation(s) alleged
Central African Republic	JAL	16/07/2013	Group of individuals	No response	Attacks or killings
China	JAL	22/07/2013	Group of individuals	10/09/2013	Excessive use of force
Colombia	JUA	01/05/2013	Group of individuals	No response	Attacks or killings, death threats
	JUA	02/08/2013	Group of individuals	14/11/2013	Attacks or killings, death threats
	JUA	13/08/2013	Group of individuals	No response	Attacks or killings, death threats
	JUA	13/09/2013	Group of individuals	14/11/2013 24/12/2013	Attacks or killings, death threats
	JAL	18/11/2013	Group of individuals	07/01/2014 23/01/2014	Attacks or killings
	JUA	23/01/2014	Group of individuals	14/04/2014 22/04/2014	Attacks or killings
	JUA	27/01/2014	Group of individuals	No response	Attacks or killings, death threats
	JUA	25/02/2014	Group of individuals	No response	Attacks or killings, death threats
Cuba	UA	19/04/2013	Group of individuals	15/07/2013	Attacks or killings, death threats
Democratic People's Republic of Korea	JAL	17/12/2013	3 males	No response	Death penalty safeguards
Dominican Republic	JAL	12/06/2013	1male	No response	Attacks or killings
Egypt	JUA	09/07/2013	Group of individuals	No response	Excessive use of force
	JUA	06/08/2013	Group of individuals	No response	Excessive use of force
	JUA	30/08/2013	9 males and 1 female	04/10/2013 26/10/2013	Attacks or killings
	JUA	22/01/2014	2 females and 1 male	25/03/2014	Attacks or killings, death threats
Equatorial Guinea	AL	11/02/2014	Group of individuals	No response	Attacks or killings, deaths in custody
	AL	24/02/2014	1 minor	No response	Attacks or killings
Guatemala	JUA	27/03/2013	Group of individuals	No response	Attacks or killings, death threats
	JAL	05/08/2013	Group of individuals	No response	Attacks or killings, death threats
	JUA	10/09/2013	Group of individuals	No response	Attacks or killings
Haiti	JAL	02/08/2013	Group of individuals	No response	Attacks or killings, death threats

Country	Type of communication*	Date	Subject(s) concerned	Character of Reply	Violation(s) alleged
Honduras	JAL	18/06/2013	4 males and 1 female	No response	Attacks or killings, death threats
	JUA	07/08/2013	1 female	No response	Attacks or killings
	JUA	27/08/2013	Group of individuals	20/09/2013	Attacks or killings
	JAL	29/08/2013	Group of individuals	No response	Attacks or killings
	JAL	17/12/2013	1 male	24/02/2014	Attacks or killings
	JUA	20/01/2014	Group of individuals	No response	Attacks or killings
India	JAL	08/03/2013	2 males	No response	Attacks or killings and Death threats
	JAL	12/03/2013	1 male	06/08/2013	Death penalty safeguards
	JUA	05/06/2013	9 males	29/08/2013	Death penalty safeguards
	JUA	21/08/2013	1 male	29/08/2013	Death penalty safeguards
	JAL	10/01/2014	1 male	17/01/2014	Deaths in custody
Indonesia	UA	22/03/2013	Group of individuals (including one named male)	No response	Death penalty safeguards
	JUA	16/12/2013	1 male	No response	Deaths in custody
Iran (Islamic Republic of)	JAL	28/06/2013	Group of individuals (legislation)	No response	Death penalty safeguards legislation
	JUA	31/07/2013	4 males	No response	Death penalty safeguards
	JUA	26/08/2013	5 males	No response	Death penalty safeguards
	JUA	26/09/2013	4 males	No response	Death penalty safeguards
	JAL	07/10/2013	1 male	17/12/2013	Attacks or killings
	JUA	11/10/2013	1 male	No response	Death penalty safeguards
	JUA	15/11/2013	2 males	No response	Death penalty safeguards
	JAL	28/11/2013	19 males	24/01/2014 25/02/2014	Death penalty safeguards
	JAL	30/12/2013	4 males	No response	Death penalty safeguards
	JUA	28/02/2014	1 male, 1 female	No response	Death penalty safeguards
Iraq	JAL	10/09/2013	Group concern	21/10/2013 11/11/2013	Death penalty safeguards

Country	Type of communication*	Date	Subject(s) concerned	Character of Reply	Violation(s) alleged
	JUA	11/09/2013	46 males, 13 females	11/11/2013	Excessive use of force (7 abducted)
	JUA	11/10/2013	1 male	03/02/2014	Death penalty safeguards
	JUA	28/11/2013	1 male	No response	Death penalty safeguards
	JUA	17/01/2014	2 males	No response	Death penalty safeguards
Israel	JAL	10/04/2013	1 male	No response	Deaths in custody
	JUA	02/08/2013	1 male (human rights defender)	No response	Attacks or killings
Kenya	JAL	04/09/2013	1 male (human rights defender)	No response	Excessive use of force
	JUA	23/09/2013	1 male (human rights defender) and his family	No response	Attacks or killings
	JUA	26/09/2013	1 male	No response	Attacks or killings
Libya	JAL	13/08/2013	1 male	No response	Attacks or killings
Mexico	AI	12/06/2013	2 male and 1 minor	27/08/2013	Attacks or killings
	AL	13/06/2013	2 male	29/08/2013	Attacks or killings
	JAL	13/08/2013	Group of individuals	25/10/2013	Attacks or killings, death threats
	JUA	26/11/2013	Group of individuals	No response	Attacks or killings, death threats
	JUA	06/12/2013	Group of individuals	20/01/2014 10/02/2014	Attacks or killings
Myanmar	JAL	11/06/2013	Group of individuals	22/07/2013	Excessive use of force
	JAL	22/07/2013	1 male	29/10/2013	Deaths in custody
Nigeria	UA	06/06/2013	Two individuals (unnamed)	No response	Death penalty safeguards
Norway	JUA	04/04/2013	1 male	30/04/2014	Expulsion
Pakistan	JUA	12/07/2013	Group of individuals (including two females, one human rights defender)	18/07/2013	Attacks or killings, and death threats
	JUA	04/09/2013	Group concern (1named female)	04/09/2013	Attacks or killings, death threats, impunity
	JUA	14/02/2014	1 male	18/02/2014	Death penalty safeguards
Peru	JAL	20/02/2014	1 female and her family	No response	Attacks or killings, death threats
Philippines	JAL	22/08/2013	3 males (journalists)	No response	Attacks or killings

Country	Type of communication*	Date	Subject(s) concerned	Character of reply	Violation(s) alleged
Saudi Arabia	JUA	04/03/2013	7 males	30/04/2013	Death penalty safeguards
	JUA	08/03/2013	7 males	30/04/2013	Death penalty safeguards
	JUA	07/10/2013	1 male	No response	Death penalty safeguards
	JUA	31/01/2014	1 male	12/02/2014	Death penalty safeguards
Somalia	JAL	30/07/2013	2 males (human rights defenders)	No response	Attacks or killings
	JAL	15/08/2013	Group of individuals (including two named males)	No response	Death penalty safeguards
	JAL	05/11/2013	1 male (human rights defender)	No response	Attacks or killings
	JAL	06/12/2013	1 male (HRD)	No response	Attacks or killings
South Sudan	UA	12/12/2013	Group concern	No response	Death penalty safeguards
Sri Lanka	JAL	07/03/2013	3 males	19/06/2013	Deaths in custody
	JAL	02/09/2013	Group of individuals	19/09/2013	Excessive use of force
	JUA	26/11/2013	1 male (human rights defender)	No response	Death threats
Sudan	JAL	15/08/2013	Group of individuals (legislation)	No response	Legislation extending military courts' jurisdiction
	JUA	17/10/2013	Group concern	No response	Excessive use of force
Sweden	JUA	02/05/2013	1 male	14/06/2013	Expulsion
Switzerland	JUA	24/04/2013	2 males and the family of one of them	08/05/2013	Expulsion
				08/05/2013	
				08/05/2013	
Syrian Arab Republic	JUA	24/02/2014	1 male	No response	Attacks or killings
Thailand	JAL	02/04/2013	1 male	02/07/2013	Attacks or killings
Tunisia	JAL	09/08/2013	1 male	No response	Attacks or killings
Turkey	JUA	27/03/2013	1 female	09/04/2013	Expulsion (death penalty)
	JUA	14/06/2013	Group of individuals (4 named males)	06/09/2013	Excessive use of force
Ukraine	JUA	20/02/2014	Group concern	No response	Excessive use of force
United Arab Emirates	JUA	09/01/2014	5 males	16/04/2014	Death penalty safeguards
United Republic of Tanzania	JAL	18/03/2013	3 males, 2 females	26/03/2013	Attacks or killings

Country	Type of communication*	Date	Individual(s) concerned	Response of State	Violation(s) alleged
United States of America	UA	11/06/2013	1 male	No response	Death penalty, safeguards
	UA	19/07/2013	1 male	09/08/2013	Death penalty, safeguards
	UA	31/07/2013	1 male	13/08/2013	Death penalty, safeguards
	JAL	29/11/2013	Group concern (1 named male)	No response	Violations of right to life in armed conflict ... excessive use of force
	JUA	03/12/2013	1 male	19/12/2013	Death penalty, safeguards
	JAL	20/12/2013	22 individuals (including 12 named males)	No response	Violations of right to life in armed conflict, excessive use of force
	UA	17/01/2014	1 male	No response	Death penalty, safeguards
	UA	10/02/2014	1 male	No response	Death penalty, safeguards
Venezuela	JAL	05/04/2013	1 male	No response	Attacks or killings
	UA	30/09/2013	Group of individuals	No response	Attacks or killings, death threats
Yemen	JUA	06/08/2013	1 male	No response	Death penalty, safeguards
	JAL	19/12/2013	1 male	No response	Deaths in custody
	JAL	20/12/2013	22 individuals (including 12 named males)	No response	Violations of right to life in armed conflict, excessive use of force
State of Palestine (with a letter in parallel sent to the de-facto authorities in Gaza)	JUA	20/08/2013	4 males	No response	Death penalty, safeguards

Sent outside the reporting period

Country	Type of communication*	Date	Subject(s) concerned	Date(s) of reply	Concern(s) raised
Brazil	JAL	06/07/2011	3 males and 1 female (human rights defenders)	25/09/2013	Attacks or killings
	JUA	11/04/2012	1 male and 1 female (environmental and human rights defender)	29/08/2013	Attacks or killings
	JUA	23/08/2012	1 male (human rights defender)	29/08/2013	Death threats
Colombia	JUA	17/12/2012	Group of concern (1 identifiable individual - male, human rights defenders)	20/06/2013 02/08/2013	Attacks or killings, death threats
	JAL	29/01/2013	1 female and 1 male (trade unionists)	02/05/2013	Attacks or killings, death threats
India	JAL	11/02/2013	1 male	12/02/2013 06/08/2013	Death penalty safeguards
	JUA	28/09/2012	Group of individuals (30 identifiable individuals)	08/08/2013	Excessive use of force
	JAL	15/02/2012	1 male (human rights defender)	06/08/2013	Attacks or killings
Iran (Islamic Republic of)	JUA	09/01/2013	2 males	12/08/2013	Death penalty safeguards
Saudi Arabia	JUA	21/02/2012	1 male	26/09/2013	Death penalty safeguards
Sudan	JUA	05/06/2012	1 female	17/05/2013	Death penalty safeguards
	JUA	03/08/2012	Group concern (23 identifiable individuals)	17/05/2013	Excessive use of force
Syrian Arab Republic	JUA	02/11/2012	3 females and 12 males	06/06/2013	Deaths in custody
Tunisia	JAL	05/12/2012	1 male	25/11/2013	Attacks or killings

* Type of Communication: UA: Urgent Appeal; JUA: Joint Urgent Appeal; AL: Letter of Allegation; JAL: Joint Letter of Allegation

IV. Tabulation of communications requesting stay of executions

8. In its resolution 17/5, the Human Rights Council requested the Special Rapporteur in carrying out his mandate "[t]o continue to monitor the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee in its interpretation of article 6 of the International Covenant on Civil and Political Rights, as well as the Second Optional Protocol thereto;". In this respect, the Special Rapporteur has included the following table on the status of individuals who were the subject of concern with regard to the application of the death penalty in the present report. He urges all concerned States to provide updated information on the status of the subjects of these urgent appeals.

IV. Tabulation of communications requesting stay of executions[1]

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
Bangladesh	22/03/2013	No response	Mr. Abdul Kalam Azad	Involvement in 1971 revolution – death penalty safeguards not observed	Death penalty safeguards	Remains at risk
Belarus	01/10/2013	18/12/2013	Mr. Pavel Selyun	Murder	Death penalty safeguards not observed	Executed before 18 April 2014 (exact date unknown)
			Mr. Rygor Yuzepchuk	Murder	Death penalty safeguards not observed	Executed before 8 May 2014 (exact date unknown)
			Mr. Alyaksandr Haryunou	Murder	Death penalty safeguards not observed and mental illness	Remains at risk
	08/01/2014	31/03/2014	Mr. Eduard Lykov	Murder	Death penalty safeguards not observed	Remains at risk
India	05/06/2013 and 21/08/2013	29/08/2013	Mr. Devender Pal Singh Bhullar	Section 3(2)(i) of Terrorist and Disruptive Activities (Prevention) Act, 1987 and Section 120-B read with Sections 302, 307, 326, 324, 323, 436 and 427 of the Indian Penal Code (IPC)	Death penalty safeguards not observed	Death sentence commuted to life imprisonment
	05/06/2013	29/08/2013	Mr. Meesekar Madaiah	Sections 3, 4, 5 of the TADA, and Sections 143, 148, 307, 302, 332, 333,	Death penalty safeguards not observed	Death sentence commuted to life imprisonment

[1] The Special Rapporteur is grateful to various stakeholders for sharing information on the individuals referred to in this section

Country	Date appeal sent	Date response received	Name of individual	Charge alleged	Violation alleged	Status as far as could be established
				324, 120(B) and 149 of IPC		
			Mr Gnanprakasham	Sections 3, 4, 5 of the TADA, and Sections 143, 148, 307, 302, 332, 333, 324, 120(B) and 149 of IPC	Death penalty safeguards not observed	Death sentence commuted to life imprisonment
			Mr. Simon	Sections 3, 4, 5 of the TADA, and Sections 143, 148, 307, 302, 332, 333, 324, 120(B) and 149 of IPC	Death penalty safeguards not observed	Death sentence commuted to life imprisonment
			Mr. Bilavendran	Sections 3, 4, 5 of the TADA, and Sections 143, 148, 307, 302, 332, 333, 324, 120(B) and 149 of IPC	Death penalty safeguards not observed	Death sentence commuted to life imprisonment
			Mr. V. Sriharan alias Murugan	Conspiracy to murder under Sections 3(3), 3(4) and 5 of TADA and Sections 120-B read with 302, 212 and 216 of IPC, Section 14 of the Foreigners Act, 1946, Section 25(1-B) of the Arms Act, Section 5 of the Explosive Substances Act, Section 12 of the Passport Act and Section 6(1-A) of the Wireless and Telegraphy Act, 1933	Death penalty safeguards not observed	Death sentence commuted to life imprisonment
			Mr. T. Suthendraraja alias Santhan	Conspiracy to murder under Sections 3(3), 3(4) and 5 of TADA and Sections 120-B read with 302, 212 and 216 of IPC,	Death penalty safeguards not observed	Death sentence commuted to life imprisonment

ASIA 26/36/94

Country	Date appeal sent	Date response received	Name of individual	Charge alleged	Violation alleged	Status as far as could be established
				Section 14 of the Foreigners Act, 1946, Section 25(1-B) of the Arms Act, Section 5 of the Explosive Substances Act, Section 12 of the Passport Act and Section 6(1-A) of the Wireless and Telegraphy Act, 1933		
			Mr. A.G. Perarivalan alias Arivu	Conspiracy to murder under Sections 3(3), 3(4) and 5 of TADA and Sections 120-B read with 302, 212 and 216 of IPC, Section 14 of the Foreigners Act, 1946, Section 25(1-B) of the Arms Act, Section 5 of the Explosive Substances Act, Section 12 of the Passport Act and Section 6(1-A) of the Wireless and Telegraphy Act, 1933	Death penalty safeguards not observed	Death sentence commuted to life imprisonment
			Mr. Saibanna Ningappa Natikar	Murder	Death penalty safeguards not observed	Remains at risk
Iran (Islamic Republic of)	31/07/2013 and 11/10/2013	No response	Mr. Ghazi Abbasi	Enmity against God and Corruption on earth for murder	Death penalty safeguards not observed	Executed - 4 November 4 2013
	31/07/2013	No response	Mr Abdul-Reza Amir-Khanafereh	Enmity against God and Corruption on earth for murder	Death penalty safeguards not observed	Executed - 4 November 4 2013
			Mr. Abdul-Amir Mojaddami	Enmity against God and Corruption on earth for murder	Death penalty safeguards not observed	Executed - 4 November 4 2013

Country	Date appeal sent	Date response received	Name of individual	Charge alleged	Violation alleged	Status as far as could be established
			Mr. Jasim Moghaddam Pyam	Enmity against God and Corruption on earth for murder	Death penalty safeguards not observed	Executed - 4 November 4 2013
	26/08/2013	No response	Mr. Hashem Sha'bani Amouri	Enmity against God, corruption on earth and acting against national security	Death penalty safeguards not observed and most serious crimes	Executed - 29 January 2014
			Mr. Hadi Rashedi	Enmity against God, corruption on earth and acting against national security	Death penalty safeguards not observed and most serious crimes	Executed - 29 January 2014
			Mr. Mohammad Ali Amouri	Enmity against God, corruption on earth and acting against national security	Most serious crimes	Remains at risk
			Mr. Sayed Jaber Alboshoka	Enmity against God, corruption on earth and acting against national security	Most serious crimes	Remains at risk
			Mr. Sayed Mokhtar Alboshoka	Enmity against God, corruption on earth and acting against national security	Most serious crimes	Remains at risk
	26/09/2013	No response	Mr. Kamal Malaie	Enmity against God and corruption on earth for involvement in murder	Death penalty safeguards not observed	Remains at risk
			Mr. Jahangir Deghani	Enmity against God and corruption on earth for involvement in murder	Death penalty safeguards not observed	Remains at risk
			Mr. Jamshed Dehghani	Enmity against God and corruption on earth for involvement in murder	Death penalty safeguards not observed	Remains at risk
			Mr. Hamed Ahmadi	Enmity against God and corruption on earth for	Death penalty safeguards not	Remains at risk

Country	Date appeal sent	Date response received	Name of individual	Charge alleged	Violation alleged	Status as far as could be established
				involvement in murder	observed	
	15/11/2013	No response	Mr. Zani Moradi (or Zanyar Moradee)	Murder	Death penalty safeguards not observed	Remains at risk
			Mr. Loghman Moradi (or Loqman Moradee	Murder	Death penalty safeguards not observed	Remains at risk
	28/02/2014	No response	Mr. Rouhollah Tavani	Insults to the Prophet of Islam or other Great Prophets	Death penalty safeguards not observed and not most serious crime	Remains at risk
			Ms. Farzaneh Moradi	Murder	Death penalty safeguards not observed	Executed - 4 March 2014
Iraq	11/10/2013	03/02/2014	Mr. Ahmad Nuri Badawi 'Abbas	Murder	Death penalty safeguards not observed	Remains at risk
	28/11/2013	No response	Mr. Ahmad 'Amr 'Abd al-Qadir Muhammad	Planting explosives	Death penalty safeguards not observed	Remains at risk
	17/01/2014	No response	Mr. Bara' Ibrahim Muhammad	Involvement in explosions that resulted in the death of eight people	Death penalty safeguards not observed	Remains at risk
			Mr. Taysir Jassim Muhammad	Involvement in explosions that resulted in the death of eight people	Death penalty safeguards not observed	Remains at risk
Pakistan	14/02/2014	18/02/2014	Mr. Mohammad Asghar	Blasphemy	Death penalty safeguards not observed - mental illness	Remains at risk
Saudi Arabia	04/03/2013 and	30/04/2013	Mr. Sarhan b.	Organizing a criminal	Death penalty	Executed - 13 March 2013

Country	Date appeal sent	Date response received	Name of individual	Charge alleged	Violation alleged	Status as far as could be established
	08/03/2013		Ahmad b. Abdullah Al Mashaikh	group, armed robbery and raiding and breaking into jewellery stores	safeguards not observed and not most serious crimes	
			Mr. Saeed b. Hassan b. Ahmad Al Omari Al Zahrani	Organizing a criminal group, armed robbery and raiding and breaking into jewellery stores	Death penalty safeguards not observed and not most serious crimes	Executed - 13 March 2013
			Mr. Ali b. Mohamed b. Hazzam Al Shahri	Organizing a criminal group, armed robbery and raiding and breaking into jewellery stores	Death penalty safeguards not observed and not most serious crimes	Executed - 13 March 2013
			Mr. Nasser b. Saeed b. Saad Al Qahtani	Organizing a criminal group, armed robbery and raiding and breaking into jewellery stores	Death penalty safeguards not observed and not most serious crimes	Executed - 13 March 2013
			Mr. Saeed b. Nasser b. Mohamed Al Yaala Al Shahrani	Organizing a criminal group, armed robbery and raiding and breaking into jewellery stores	Death penalty safeguards not observed and not most serious crimes	Executed - 13 March 2013
			Mr. Abdulaziz b. Saleh b. Mohamed Al Amri	Organizing a criminal group, armed robbery and raiding and breaking into jewellery stores	Death penalty safeguards not observed and not most serious crimes	Executed - 13 March 2013
			Mr. Ali b. Hadi b. Saeed Al Qahtani	Organizing a criminal group, armed robbery and raiding and breaking into jewellery stores	Death penalty safeguards not observed and not most serious crimes	Executed - 13 March 2013
	07/10/2013	No response	Mr Mabrook Ali Saleh Al Sai'ari	Murder	Death penalty safeguards not observed	Remains at risk
	31/01/2014	12/02/2014	Mr. Raef Badawi	Apostasy	Death penalty safeguards not observed and not most serious crimes	Sentenced to 10 years and 1000 lashes as well as a fine

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
Turkey (expulsion to the Islamic Republic of Iran)	27/03/2013	09/04/2013	Ms. Khadihej Mohibati	Apostasy	Not most serious crime	Remains at risk
United Arab Emirates	09/01/2013	16/04/2014	Mr. Ravindra Krishna Pillai	Murder	Death penalty safeguards not observed	Executed - 21 January 2014
			Mr. Abdullah Abdur-Rahman Abdullah	Murder	Death penalty safeguards not observed - mental illness	Remains at risk
			Mr. Mohomed Naif Ali	Murder	Death penalty safeguards not observed	Remains at risk
			Mr. Kamrul Islam	Murder	Death penalty safeguards not observed	Remains at risk
			Mr. Ateek Ashraf	Murder	Death penalty safeguards not observed	Remains at risk
United States of America	11/06/2013	No response	Mr. William Van Poyck	Murder	Death penalty safeguards not observed	Executed - 12 June 2013
	19/07/2013	09/08/2013	Mr. Warren Hill	Murder	Death penalty safeguards not observed - mental illness	Remains at risk
	31/07/2013	13/08/2013	Mr. John Ferguson	Murder	Death penalty safeguards – mental illness	Executed - 5 August 2013
	03/12/2013	19/12/2013	Mr. Askari Abdullah Muhammad	Murder	Death penalty safeguards – mental illness	Executed - 7 January 2014

Country	*Date appeal sent*	*Date response received*	*Name of individual*	*Charge alleged*	*Violation alleged*	*Status as far as could be established*
	17/01/2014	No response	Mr. Edgar Arias Tamayo	Murder	Death penalty safeguards not observed	Executed - 23 January 2014
	10/02/2014	No response	Mr. Paul Howell	Murder	Death penalty safeguards not observed	Executed - 26 February 2014
Yemen	06/08/2013	No response	Mr. Muhammad Thabet Taher Samoum	Murder	Death penalty safeguards - minor at time of offence	Remains at risk
State of Palestine and the de-facto authorities in Gaza	20/08/2013	No response	Mr. Hani Mohammed Abu Aliyan	Rape and murder	Death penalty safeguards – minor at time of offence	Executed - 2 October 2013
		No response	Mr. Faraj Abed Rabu	Collaboration with an enemy entity	Death penalty safeguards not observed	Remains at risk

V. Summary of cases transmitted and replies received to communications sent within the reporting period

Afghanistan

JAL 29/11/2013 Case No. AFG 1/2013 **Alleged killings of at least 19 persons as a consequence of alleged abuses committed by the United States Army 3rd Special Forces group, known as Operation Detachment Alpha (ODA).**

Character of reply: no response

9. The Special Rapporteur regrets that the Government has not yet responded to this communication, and strongly encourages the Afghan authorities to provide a substantive reply on the alleged violations. He would like to remind the Afghan Government that each State has the duty not to allow violations of human rights and humanitarian law on its territory by any domestic or foreign actor, as well as to conduct thorough, prompt and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions.

Algeria

JAL 30/12/2013 Cas No. DZA 8/2013 Réponse: 11/04/2014 **Des allégations sont exprimées quant aux droits des victimes de disparition forcée et leurs familles, notamment concernant le droit à la vérité et l'accès à la justice.**

Caractère de la réponse: traite partiellement des questions de fond

10. Le Rapporteur Spécial remercie le Gouvernement algérien pour sa réponse et note l'information sur le stade préliminaire de l'enquête. Il encourage les autorités algériennes à conduire les enquêtes d'une manière prompte, approfondie et impartiale, en conformité avec le principe 9 des Principes relatifs à la prévention efficace des exécutions extrajudiciaires, arbitraires et sommaires et aux moyens d'enquêter efficacement sur ces exécutions. Il souhaite aussi rappeler l'importance de tenir le public, y compris les possibles familles des victimes, au courant du déroulement et résultats de l'enquête. Le Rapporteur Spécial serait enfin reconnaissant de recevoir de l'information supplémentaire et détaillée sur le progrès et résultats des enquêtes diligentées.

Angola

(a) JAL 29/08/2013 Case No. AGO 4/2013 State Reply: 10/01/2014 **Allegations of sorcery-related killings.**

Character of reply: addresses some substantive issues

11. The Special Rapporteur thanks the Government of Angola for its response and the information provided concerning the investigations of the alleged killings. He calls on the Government to ensure that the perpetrators of these killings are brought to justice and that the victims' families obtain compensation.

(b) JAL 05/12/2013 Case No. AGO 5/2013 State Reply: 08/01/2014 **Allegations of excessive use of force to disperse a peaceful demonstration, as well as the alleged killing of a human rights defender and several other protestors.**

Character of reply: substantive

12. The Special Rapporteur thanks the Government of Angola for its response. He welcomes the carrying out of investigations of the killing of Mr. Silva Alves Camulingue and Mr. Isaias Sebastiao Cassule, and would appreciate further information on their progress, as well as on the results of the judicial proceedings.

General observations

13. The Special Rapporteur would like to thank the Government of Angola for the responses received during his reporting period. The Special Rapporteur shares the concerns expressed by the Special Rapporteur on the situation of human rights defenders regarding the alleged restrictions on the right to freedom of peaceful assembly in Angola, including excessive use of force against protesters involved in peaceful demonstrations. (A/HRC/25/55/Add.3). In this regard, he would like to stress the importance of ensuring that the international law understanding of the principles of necessity and proportionality is applied stringently in all legislative and policy acts at domestic level.

Argentina

JAL 23/12/2013 Caso No. ARG 7/2013 Respuesta: 30/12/2013; 26/03/2014 **Alegaciones de ausencia de protección de las fuerzas de seguridad ante los saqueos y confrontaciones entre individuos civiles resultando en la muerte de nueve individuos y 250 personas heridas en la provincia de Córdoba.**

Carácter de la respuesta: sustantiva

14. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada. El Relator toma nota de la información acerca de las diferentes resoluciones dictadas por la Procuraduría General de la Nación referentes a este caso. Sin embargo, el Relator lamenta la falta de información proporcionada acerca de la precisión de los hechos y el estado de las investigaciones. El Relator queda a la espera de información adicional por parte del Gobierno en referencia a este caso.

Bangladesh

(a) JUA 22/03/2013 Case No. BGD 5/2013 **Alleged increasing climate of violence in the context of protests related to the on-going trials before the Bangladesh International Crimes Tribunal.**

Character of reply: no response

(b) JUA 25/06/2013 Case No. BGD 8/2013 State Reply: 27/06/2013 **Alleged enforced disappearance of Mr Anwarul Islam Masum.**

Character of reply: procedural response

(c) JUA 27/12/2013 Case No. BGD 15/2013 **Alleged torture and execution of members of the political opposition, journalists and human rights defenders.**

Character of reply: no response

General observations

15. The Special Rapporteur regrets that no substantive reply has been received to any of the three communications sent to the Government of Bangladesh during the period under review, and encourages the authorities to provide responses in detail on each case. He notes in particular that two of the communications addressed the increasing climate of violence in the country related to both the proceedings before the Bangladesh International Crimes Tribunal, and, at a later stage, to the electoral period. He calls upon the authorities to take all necessary measures to prevent any further violence, and ensure that prompt, impartial and thorough investigations are conducted in all suspected cases of extrajudicial, summary or arbitrary executions, irrespective of who the perpetrators were. Furthermore, the Special Rapporteur would like to reiterate the importance of ensuring the highest level of respect of international human rights law regarding fair trial and due process safeguards at each stage of the proceedings before the Bangladesh International Crimes Tribunal.

Belarus

(a) JUA 01/10/2013 Case No. BLR 3/2013 State Reply: 18/12/2013 **Alleged risk of executions after proceedings that did not comply with fair trial and due process standards.**

Character of reply: substantive

16. The Special Rapporteur thanks the Government of Belarus for a detailed reply on this communication. While welcoming the Government's information regarding the decision of the Belarussian Supreme Court to overturn the death sentence against Mr. Alyaksandr Haryunou and conduct a retrial on his case, he is concerned about non-official reports that on 24 December 2013 the Homel Regional Court sentenced the defendant to death again. Furthermore, the Special Rapporteur regrets that the Government of Belarus did not provide information on the allegations regarding the mental illness of Mr. Haryunou. In this regard, he reminds the Government that international human rights law prohibits the imposition of the death penalty against persons with mental illness. The Special Rapporteur invites the Government of Belarus to further provide information on this aspect of the case of Mr. Haryunou, and on the current stage of the proceedings against him, as well as to confirm or refute the information on the new death sentence against him. He urges the authorities in Belarus to ensure that the new proceedings in this case fully comply with international law standards, as well as to commute without delay the death sentence against Mr. Haryunou.

17. At the same time, the Special Rapporteur notes with deep concern the information from non-official sources that Messrs. Pavel Selyun and Rygor Yuzepchuk were executed in secret in April or May 2014. He invites the Government of Belarus to confirm this information, and recalls that executions in secret violate international human rights law standards regarding the imposition of the death penalty. The Special Rapporteur further invites the Belarussian authorities to provide additional details on the allegations that the lawyers in all three cases raised in this communication were not given full access to the documents used by the prosecution. He would also appreciate receiving further information on the proceedings against Mr. Selyun and Mr. Rygor Yuzepchuk, as well as their compliance with international human rights law.

(b) JUA 08/01/2014 Case No. BLR 1/2014 State Reply: 31/03/2014 **Alleged risk of execution following proceedings that have reportedly been marred by secrecy.**

Character of reply: translation awaited

18. The Special Rapporteur thanks the Government of Belarus for its response and looks forward to receiving the translated text. In the meantime, he reiterates his call upon the authorities in Belarus not to execute Mr. Eduard Lykov, to commute his death sentence, and to guarantee the highest level of respect of his rights and freedoms.

General observations

19. The Special Rapporteur thanks the Government of Belarus for providing detailed responses on both communications sent during the period under review. At the same time, he would like to express deep concern about the continuing reports on the secrecy of judicial proceedings in death penalty cases in Belarus, in particular at the post-conviction stage. In this regard, he would like to remind the Government that international human rights law requires that the proceedings in death penalty cases meet the highest level of respect of fair trial and due process safeguards, at least equal to those contained in article 14 of the International Covenant on Civil and Political Rights. Ensuring full transparency at every stage of the proceedings, including through providing information relating to the execution in advance to the convicted persons, their family members and lawyers, is a crucial element of this requirement. Consequently, he urges the Belarussian authorities to take all necessary steps to ensure full transparency in all such cases, as well as move towards imposing a moratorium on the death penalty, with a view to abolishing it.

Belize

AL 06/02/2014 Case No. BLZ 1/2014 **Alleged killing of an 18 year old cross-dresser.**

Character of reply: no response

20. The Special Rapporteur regrets the lack of reply to this communication and strongly encourages the Government of Belize to provide a substantive response.

Bolivia

JAL 27/02/2014 Caso No. BOL 2/2014 **Presuntos actos intimidatorios, vigilancia y amenazas, incluyendo amenazas de muerte, contra defensores de derechos humanos.**

Carácter de la respuesta: sin respuesta

21. El Relator Especial lamenta que el Gobierno no haya respondido a esta comunicación y le alienta a responder a su carta de manera oportuna.

Brazil

(a) JUA 03/06/2013 Case No. BRA 2/2013 State Reply: 16/09/2013 **Alleged incidents of excessive violence against indigenous peoples in the states of Mato Grosso do Sul and Pará, including the alleged killing of an indigenous person by police authorities.**

Character of reply: substantive

22. The Special Rapporteur thanks the Government of Brazil for its response. He further appreciates the information provided on the Handbook of National Guidelines for Enforcement of Writs on Maintenance or Restoration of Collective Possession; however he would have appreciated more detailed information on the progress of the investigations

regarding the killing of Mr. Oziel Gabriel. Moreover, the Special Rapporteur is concerned about the number of incidents involving indigenous peoples in the country. He calls on the Government to carry out prompt, impartial and thorough investigations in order to ensure that those responsible are brought to justice and punished, and to provide the results of any investigations and inquiries in this regard.

(b) JUA 27/02/2014 Case No. BRA 2/2014 State Reply: 28/04/2014 **Alleged ongoing acts of torture against and killings of prisoners as well as detention conditions in violation of international human rights law.**

Character of reply: substantive

23. The Special Rapporteur thanks the Government of Brazil for its response. While recognising the steps taken by the Government to improve conditions of the places of detention, he urges the Government of Brazil to conduct thorough, prompt and impartial investigations in order to prosecute the perpetrators in cases of deaths in custody. In order to overcome the presumption of State responsibility for a death resulting from injuries sustained in custody, there must be a thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions according to principle 9 of the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions.

General observations

24. The Special Rapporteur would like to thank the Government of Brazil for the responses received during his reporting period. He would like to reiterate his concerns regarding the information received about the excessive use of force during mass demonstrations. Therefore, he urges the State of Brazil to identify and bring to justice those responsible, to grant adequate compensation to the victim or his family and to take steps to end impunity and the recurrence of such acts.

Cambodia

(a) JUA 01/10/2013 Case No. KHM 1/2013 **Allegations of indiscriminate and excessive use of force against individuals in the margins of peaceful protests, leading to the death of one person and injuries, as well as arrests of at least six individuals.**

Character of reply: no response

(b) JUA 28/02/2014 Case No. KHM 2/2014 **Allegation of excessive and indiscriminate use of force against protestors, resulting in killings and injuries, and arrest and detention (including incommunicado) of 23 individuals.**

Character of reply: no response

General observations

25. The Special Rapporteur regrets that the Cambodian Government has not responded to any of the two communications sent during the period under review, and encourages it to provide substantive replies in both cases.

Cameroon

(a) JUA 13/08/2013 Cas No. CMR 3/2013 **Allégations de meurtre d'un défenseur des droits des personnes lesbiennes, gays, bisexuelles, transgenres et intersexuées (LGBTI) et d'actes d'intimidations à l'encontre d'autres défenseurs.**

Caractère de la réponse: pas de réponse.

(b) JAL 04/09/2013 Cas No. CMR 4/2013 **Allégations de tentative de meurtre, d'harcèlement judicaire et de représailles à l'encontre de différents membres de l'organisation MBOSCUDA.**

Caractère de la réponse: pas de réponse.

Observations générales:

26. Le Rapporteur Spécial regrette l'absence de réponse aux communications envoyées au cours de la période couverte par le présent rapport et invite le Gouvernement à répondre au plus vite aux allégations exprimées.

Central African Republic

JAL 16/07/2013 Cas No. CAF 1/2013 **Allégations de violations flagrantes et systématiques des droits de l'homme en République centrafricaine.**

Caractère de la réponse: pas de réponse.

27. Le Rapporteur spécial regrette l'absence de réponse à la communication envoyée au cours de la période couverte par le présent rapport et invite le Gouvernement à répondre au plus vite aux allégations exprimées.

China

JAL 22/07/2013 Case No. CHN 7/2013 State Reply: 10/09/2013 **Allegations of excessive use of force in dispersing a peaceful religious gathering of Tibetans celebrating the birthday of the Dalai Lama.**

Character of reply: addresses some substantive issues

28. The Special Rapporteur thanks the Government of the People's Republic of China for its response, and takes note of the Government's comments on the facts of the case. He would appreciate receiving additional and detailed information on each stage of any investigation regarding the allegations of use of force, including lethal force, by the security officers, as well as its conclusions and the elements that led to reaching such conclusions. In this regard, he would like to remind the Government of a State's duty to ensure thorough, prompt and impartial investigations and prosecutions on all suspected cases of extrajudicial, summary or arbitrary executions, as well as to bring the identified perpetrators to justice, irrespective of who they are.

Colombia

(a) JUA 01/05/2013 Caso No. COL 5/2013 **Supuestos ataques, amenazas, actos de intimidación y agresión física contra mujeres defensoras de derechos humanos en las regiones del norte de Colombia.**

Carácter de la respuesta: sin respuesta

(b) JUA 02/08/2013 Caso No. COL 8/2013 Respuesta: 14/11/2013 **Presuntas amenazas de muerte contra miembros del movimiento de derechos humanos de Barrancabermeja.**

Carácter de la respuesta: aborda algunas cuestiones de fondo

29. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota de tres las indagaciones en la Fiscalía Estructura de Apoyo de Barrancabermeja. Sin embargo, el Relator Especial agradecería recibir información complementaria sobre las investigaciones judiciales y administrativas en relación con estos casos. Igualmente, el Relator Especial llama la atención sobre la necesidad de que se lleven a cabo investigaciones prontas e imparciales y reitera su preocupación sobre la capacidad de la sociedad civil y de los activistas para trabajar en un ambiente propicio para la defensa de los derechos humanos en Colombia.

(c) JUA 13/08/2013 Caso No. COL 9/2013 **Supuestas amenazas de muerte continúas contra sindicalistas en Colombia.**

Carácter de la respuesta: sin respuesta

(d) JUA 13/09/2013 Caso No. COL 10/2013 Respuesta: 14/11/2013; 24/12/2013 **Presunto asesinato de un abogado y supuestos actos de intimidación, estigmatización y amenazas de muerte contra abogados en un contexto de ataques contra profesionales del derecho trabajando en casos de violaciones de derechos humanos, incluidas desapariciones forzadas e involuntarias.**

Carácter de la respuesta: sustantiva

30. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada. De igual manera, el Relator agradece al Gobierno la información adicional enviada ofreciendo detalles sobre el Proceso Nacional de Garantías para la labor de las y los defensores de derechos humanos, líderes sociales y comunales. En este sentido, el Relator toma nota de la asesoría y asistencia técnica que el Ministerio del Interior brinda a las autoridades territoriales a través de los Planes Integrales de Prevención y Protección.

(e) JAL 18/11/2013 Caso No. COL 11/2013 Respuesta: 07/01/2014; 23/01/2014 **Presuntos asesinatos de tres defensores y defensoras de derechos humanos.**

Carácter de la respuesta: sustantiva

31. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota del estado de las investigaciones penales para esclarecer los presuntos asesinatos del Sr. César García, el Sr. Nelson Giraldo y la Sra. Adelina Gómez. El Relator Especial comparte la preocupación, expresada por la Relatora Especial sobre la situación de defensores de derechos humanos, por el grado de impunidad que prevalece en torno a los ataques y violaciones contra los y las defensoras en Colombia. (A/HRC/25/55/Add.3). En este sentido, el Relator espera que las investigaciones se completen de forma exhaustiva, inmediata e imparcial.

(f) JUA 23/01/2014 Caso No. COL 1/2014 Respuesta: 14/04/2014; 22/04/2014 **Presunto riesgo de ejecución del Sr. Flaminio Onogama Gutiérrez, líder del grupo indígena Embera Chamí, y el asesinato de los Sres. Berlain Saigama Javari y Jhon Braulio Saigama, también líderes del grupo indígena Embera Chamí, por miembros de los "grupos armados ilegales post desmovilización".**

Carácter de la respuesta: sustantiva

32. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada. El Relator Especial nota sobre las medidads adoptadas para garantizar el derecho a la vida del Sr. Flaminio, así como su integridad física y psicológica. Sin embargo, el Relator Especial agradecería recibir información complementaria sobre las investigaciones judiciales y administrativas en relación con el asesinato los Sres. Berlain Saigman Javari y John Braulio Saigman.

(g) JUA 27/01/2014 Caso No. COL 2/2014 **Presunto patrón de asesinatos, ataques, y amenazas de muerte y allanamientos, perpetrados por grupos armados ilegales en contra de defensores de derechos humanos trabajando en conexión con el proceso de restitución de tierras en el país.**

Carácter de la respuesta: sin respuesta

(h) JUA 25/02/2014 Caso No. COL 3/2014 **Presunto patrón de ataques y amenazas de muerte perpetrados por actores no-estatales contra defensores de derechos humanos en Colombia.**

Carácter de la respuesta: sin respuesta

Observaciones generales:

33. El Relator Especial agradece la respuesta recibidas durante el periodo del presente informe, y alienta al Gobierno a responder al resto de las comunicaciones enviadas. El Relator Especial se muestra especialmente preocupado por el alto grado de impunidad que impera respecto a las ejecuciones extrajudiciales y amenazas de muerte de los defensores y defensoras de derechos humanos, periodistas y activistas campesinos. En este sentido, el Relator a fin de identificar los responsables quisiera instar al Gobierno de Colombia a que adopte medidas eficaces para proteger a todo individuo amenazado de muerte sin discriminación alguna, así como a llevar a cabo investigaciones independientes sobre presuntas ejecuciones extrajudiciales y amenazas de muerte, de acuerdo con su obligación de proteger el derecho a la vida de todo individuo (artículo 6 del Pacto Internacional de Derechos Civiles y Políticos), y los principios 4, 9 y 18 de los Principios relativos a una eficaz prevención e investigación de las ejecuciones extralegales, arbitrarias o sumarias (resolución del Consejo Económico y Social en su resolución 1989/65, de 24 de mayo de 1989).

Cuba

UA 19/04/2013 Caso No. CUB 2/2013 Respuesta: 15/07/2013 **Alegaciones de presuntas muertes violentas y amenazas de muerte.**

Carácter de la respuesta: sustantiva

34. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada y toma nota de la información proporcionada en la respuesta.

Democratic People's Republic of Korea

JAL 17/12/2013 Case No. PRK 1/2013 **Alleged execution of three men on charges of corruption and for "plotting against Mr. Kim Jong-un administration" in violation of international human rights law.**

Character of reply: no response

35. The Special Rapporteur regrets that the Government of the Democratic People's Republic of Korea has not yet responded to this communication regarding the reported executions of Messrs. Jang Sung-Taek, Jang-Lee Yong-ha and Jang Soo-kee, allegedly in contravention of international human rights law. He encourages the Government to provide a substantive reply to it.

Dominican Republic

JAL 12/06/2013 Caso No. DOM 1/2013 **Alegación de muerte violenta por uso excesivo y desproporcionado de la fuerza por parte de la policía en contra un migrante haitiano.**

Carácter de la respuesta: sin respuesta

36. El Relator Especial lamenta que el Gobierno no haya respondido a esta comunicación y le alienta a responder a su carta de manera oportuna.

Egypt

(a) JUA 09/07/2013 Case No. EGY 10/2013 **Allegations relating to at least 90 cases of sexual violence against women since 30 June 2013 during protests, partly due to the absence of police.**

Character of reply: no response

(b) JUA 06/08/2013 Case No. EGY 11/2013 **Allegations of excessive use of force, including lethal force, during a demonstration, which resulted in the killing of over 80 persons and the wounding of hundreds.**

Character of reply: no response

(c) JUA 30/08/2013 Case No. EGY 13/2013 State Reply: 04/10/2013; 26/10/2013 **Allegations regarding the escalating violence and intimidation against journalists and the media in Egypt.**

Character of the reply of 04/10/2013: addresses some substantive issues

Character of the reply of 26/10/2013: translation awaited

37. The Special Rapporteur thanks the Government of Egypt for its responses to this communication. While awaiting the translation of the reply dated 26 October 2013, he notes that the reply dated 4 October 2014 does not provide information on the questions related to his mandate, and namely on the reported killings of four journalists and measures undertaken to ensure prompt, impartial and thorough investigations and prosecutions on these cases. He looks forward to receiving the translated text of the reply dated 26 October 2013 so as to identify whether it contains information related to the aforementioned aspects.

(d) JUA 22/01/2014 Case No. EGY 2/2014 State Reply: 25/03/2014 **Alleged extrajudicial killing and intimidation of a lawyer and his family.**

Character of reply: translation awaited

38. The Special Rapporteur thanks the Government of Egypt for its response and looks forward to receiving the translated text.

General observations

39. While reiterating his gratitude for the responses received from the Government of Egypt on two communications and partly awaiting the translated texts on them, the Special Rapporteur regrets the lack of response from the Egyptian authorities on the communications dated 9 July and 6 August 2013. Given that these communications dealt with the alleged violations related to the political events and escalating violence in Egypt in 2013, he strongly invites the Egyptian authorities to provide substantive responses on them. In the meantime, he reiterates the crucial importance of ensuring prompt, thorough and impartial investigations and prosecutions on all cases of killings reported in both communications, irrespective of whether the alleged perpetrators were the security officers or non-State actors.

Equatorial Guinea

(a) AL 11/02/2014 Caso No. GNQ 1/2014 **Alegaciones de ejecuciones llevadas a cabo por funcionarios encargados de hacer cumplir la ley en Malabo y en el penal de Evinayong.**

Carácter de la respuesta: sin respuesta

(b) AL 24/02/2014 Caso No. GNQ 2/2014 **Alegaciones de asesinato de la menor de edad en la Ciudad de Bata por tenientes militares.**

Carácter de la respuesta: sin respuesta

Observaciones generales:

40. El Relator Especial lamenta que el Gobierno no haya respondido a las comunicaciones enviadas durante el periodo del presente informe y le alienta a responder a sus cartas de manera oportuna.

Guatemala

(a) JUA 27/03/2013 Caso No. GTM 3/2013 **Presuntos asesinatos, amenazas y secuestros.**

Carácter de la respuesta: sin respuesta

(b) JAL 05/08/2013 Caso No. GTM 6/2013 **Presuntos asesinatos, ataques y actos de intimidación y desprestigio contra defensores y defensoras de derechos medioambientales.**

Carácter de la respuesta: sin respuesta

(c) JUA 10/09/2013 Caso No. GTM 7/2013 **Asesinatos de los periodistas Luis de Jesús Lima y Carlos Orellana y supuestas intimidaciones contra profesionales de la prensa en Guatemala.**

Carácter de la respuesta: sin respuesta

Observaciones generales:

41. El Relator Especial lamenta que el Gobierno no haya respondido a las comunicaciones enviadas durante el periodo del presente informe. En este sentido, el Relator Especial alienta al Gobierno a responder a sus cartas de manera oportuna. Igualmente, el Relator Especial expresa preocupación por el grado de violencia y los graves ataques a los que se ven sometidos los defensores y defensoras de derechos humanos en Guatemala. El Relator Especial quisiera instar al Gobierno de Guatemala a que adopte medidas eficaces para proteger a los defensores de derechos humanos, periodistas y todo individuo amenazado de muerte sin discriminación alguna, así como a llevar a cabo investigaciones independientes sobre presuntas ejecuciones extrajudiciales y amenazas de muerte, de acuerdo con su obligación de proteger el derecho a la vida de todo individuo (artículo 6 del Pacto Internacional de Derechos Civiles y Políticos), y los principios 4, 9 y 18 de los Principios relativos a una eficaz prevención e investigación de las ejecuciones extralegales, arbitrarias o sumarias (resolución del Consejo Económico y Social en su resolución 1989/65, de 24 de mayo de 1989).

Haiti

JAL 02/08/2013 Cas No. HTI 1/2013 **Allégations de meurtre et d'agressions physiques à l'encontre de personnes homosexuelles ainsi que de menaces reçues par des associations défendant les droits des personnes lesbiennes, gays, bisexuels et transgenres (LGBT).**

Caractère de la réponse: pas de réponse.

42. Le Rapporteur spécial regrette l'absence de réponse à la communication envoyée au cours de la période couverte par le présent rapport et invite le Gouvernement à répondre au plus vite aux allégations exprimées.

Honduras

(a) JAL 18/06/2013 Caso No. HND 2/2013 **Alegaciones de asesinato del Sr. Valentín Avelar Caravante, Sr. Celso Victorino Ruiz Martínez, y Sra. Marilú Miranda Orellana, y lesiones de gravedad sufridas por los Sres. Adolfo Melgar y Santos Aníbal Melgar Vargas.**

Carácter de la respuesta: sin respuesta

(b) JUA 07/08/2013 Caso No. HND 3/2013 **Presunto asesinato de una jueza en un contexto de ataques contra la independencia judicial.**

Carácter de la respuesta: sin respuesta

(c) JUA 27/08/2013 Caso No. HND 4/2013 Respuesta: 20/09/2013 **Presunto asesinato, amenazas y otros actos intimidatorios en contra de defensores de derechos medio-ambientales, derechos a la tierra, y derechos de los pueblos indígenas.**

Carácter de la respuesta: sustantiva

43. El Relator Especial agradece al Gobierno de Honduras la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota de la información proporcionada por parte del Gobierno sobre los casos de la Sra. Bertha Cáceres, el Sr Tomás García Domínguez y su hijo.

(d) JAL 29/08/2013 Caso No. HND 5/2013 **Presunto asesinato y agresión a integrantes de la comunidad de la Diversidad Sexual de Honduras.**

Carácter de la respuesta: sin respuesta

(e) JAL 17/12/2013 Caso No. HND 6/2013 Respuesta: 24/02/2014 **Alegaciones de actos de intimidación y asesinato de un periodista.**

Carácter de la respuesta: sustantiva

44. El Relator Especial agradece al Gobierno de Honduras la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota de las averiguaciones llevadas a cabo sobre el presunto asesinado del Sr. Juan Carlos Argeñal. Sin embargo, el Relator Especial agradecería recibir información complementaria cuando se finalicen las investigaciones sobre este caso. Finalmente, el Relator Especial insta al Gobierno a que tome las medidas necesarias para que se lleve a cabo investigaciones independientes sobre las presuntas alegaciones.

(f) JUA 20/01/2014 Caso No. HND 1/2014 **Presunto padrón de ataques y hostigamiento contra organizaciones que trabajan en defensa de los derechos de las personas LGBTI en Honduras.**

Carácter de la respuesta: sin respuesta

Observaciones generales:

45. El Relator Especial agradece las respuestas recibidas durante el periodo del presente informe con detalles acerca de las medidas adoptadas respecto a algunos de los casos. Sin embargo, lamenta que, en el momento de finalizar este informe, no se había recibido respuesta a varias de las comunicaciones enviadas. El Relator Especial se muestra especialmente preocupado por el alto grado de impunidad que impera respecto a las ejecuciones extrajudiciales y amenazas de muerte de los defensores y defensoras de derechos humanos, periodistas y activistas campesinos e insta al Gobierno a que tome las medidas necesarias para que lleve a cabo investigaciones independientes sobre las presuntas alegaciones, que los culpables respondan ante la justicia y que las víctimas obtengan reparación adecuada.

India

(a) JAL 08/03/2013 Case No. IND 4/2013 **Alleged killing of Mr. Gaikwad, a human rights defender who reportedly registered and followed-up on cases of Dalits who had been the victims of caste-based discrimination when trying to access justice and worked as a volunteer with the National Dalit Movement for Justice, monitoring and**

documenting violations on the basis of caste; and attempted killing of another defender, Mr. Dada Shivaji Jadhav.

Character of reply: no response

(b) JAL 12/03/2013 Case No. IND 3/2013 State Reply: 06/08/2013 **Alleged execution after proceedings that did not comply with international standards of fair trial and due process guarantees.**

Character of reply: addresses some substantive issues

46. The Special Rapporteur thanks the Government of India for its reply. He regrets however that information was not provided on the alleged violations of the international standards on fair trial and due process safeguards in the case of Mr. Muhammad Afzal Guru, in particular on the reports of the defendant's temporary lack of access to legal representation, the extraction of his confession under torture, the insufficient evidence used against him, and his execution in secret. These aspects raise the concern that the death penalty may have been imposed and carried out against Mr. Guru unlawfully. The Special Rapporteur would like to remind the Government that international human rights law requires the proceedings in death penalty cases to meet the highest level of respect of fair trial and due process safeguards, at least equal to those contained in article 14 of the International Covenant on Civil and Political Rights. He invites the Government of India to provide additional information on the aforementioned aspects of the case.

(c) JUA 05/06/2013 Case No. IND 6/2013 State Reply: 29/08/2013 **Alleged risk of imminent execution after proceedings that did not comply with a number of international human rights standards.**

Character of reply: addresses some substantive issues

47. The Special Rapporteur thanks the Government of India for its response, while regretting that it provides information only on the case Mr. Devender Pal Singh Bhullar and does not address questions relating to the other eight death penalty cases mentioned. According to information from non-official sources, the death sentences in eight of the nine cases raised in this communication were commuted to life imprisonment. The Special Rapporteur welcomes this information and invites the Government of India to confirm it. He further encourages the Indian authorities to provide additional information on the other eight cases mentioned in the communication and reply to the eight questions raised, including to the one regarding the list of all individuals on death row in India.

(d) JUA 21/08/2013 Case No. IND 10/2013 State Reply: 29/08/2013 **Alleged risk of imminent execution after proceedings that did not comply with international human rights law standards.**

Character of reply: addresses some substantive issues

48. The Special Rapporteur reiterates his gratitude to the Government of India for its response on the case Mr. Devender Pal Singh Bhullar. The communication of 21 August 2013 was a follow-up letter to the previous communications on this case, sent to the Government of India on 10 June 2011 and 5 June 2013. The Special Rapporteur welcomes the Government's information with regard to the suspension of the execution of Mr. Bhullar, as well as the information from non-official sources on the commutation of his death penalty to life imprisonment. He invites the Government of India to confirm this aspect, as well as to provide details on the respect of international human rights law standards in this case at each stage of the proceedings, in accordance with the questions formulated in the previous communications sent.

(e) JAL 10/01/2014 Case No. IND 1/2014 State Reply: 17/01/2014 **Alleged death in custody.**

Character of reply: procedural response

49. The Special Rapporteur thanks the Government of India for its reply, and encourages it to provide a substantive response on this case.

General observations

50. The Special Rapporteur is grateful to the Government of India for its replies to four communications sent during the reporting period, and would appreciate receiving substantive responses to the communications of 8 March 2013 and 10 January 2014. He would like to note with satisfaction the reports on the decision by the Supreme Court of India, dated 21 January 2014, to commute to life imprisonment the death sentences of 15 individuals, including of some of those whose cases were raised in the communications sent during the period under review. In this context, he reiterates his call upon India to take one step further and establish a moratorium on executions with a view to abolishing the death penalty.

Indonesia

(a) UA 22/03/2013 Case No. IDN 2/2013 **Alleged risk of imminent executions of at least 20 individuals following an alleged execution after proceedings that did not comply with the most serious crimes provision.**

Character of reply: no response

(b) JUA 16/12/2013 Case No. IDN 5/2013 **Alleged torture and death in custody of a civil servant and alleged risk of reprisals against three inmates who provided witness testimonies on the circumstances of his death.**

Character of reply: no response

General observations:

51. The Special Rapporteur regrets that the Government of Indonesia has not responded to any of the two communications sent during the period under review, and encourages it to provide substantive replies in both cases.

Iran (Islamic Republic of)

(a) JAL 28/06/2013 Case No. IRN 9/2013 **Allegations concerning the revised Islamic Penal Code which provides for the use of the death penalty for some non-violent acts and discriminates against women and religious minorities.**

Character of reply: no response

(b) JUA 31/07/2013 Case No. IRN 12/2013 **Alleged imminent risk of executions after proceedings that did not comply with international standards on fair trial and due process guarantees, as well as torture while in detention.**

Character of reply: no response

(c) JUA 26/08/2013 Case No. IRN 14/2013 **Alleged imminent risk of execution after proceedings that did not comply with international standards concerning the right to fair trial.**

Character of reply: no response

(d) JUA 26/09/2013 Case No. IRN 16/2013 **Alleged imminent execution of four Kurdish men after trials that did not comply with international standards.**

Character of reply: no response

(e) JAL 07/10/2013 Case No. IRN 17/2013 State Reply: 17/12/2013 **Alleged killing of a Baha'i.**

Character of reply: addresses some substantive issues

52. The Special Rapporteur thanks the Government of the Islamic Republic of Iran for its reply, and takes note that an inquiry was opened regarding the death of Mr. Ataollah Rezvani. He would appreciate receiving updated and detailed information on the current stage and eventual results of the criminal investigation and further proceedings on this case. In the meantime, he would like to remind the Government about a State's duty to conduct prompt, impartial and thorough investigations and prosecutions, as well as punish all violations of the right to life, in accordance with the Principles on Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, adopted by the Economic and Social Council resolution 1989/65.

(f) JUA 11/10/2013 Case No. IRN 18/2013 **Alleged risk of imminent execution of an Ahwazi Arab after torture and proceedings that did not comply with international standards regarding fair trial.**

Character of reply: no response

(g) JUA 15/11/2013 Case No. IRN 23/2013 **Alleged risk of imminent execution in violation of international human rights law.**

Character of reply: no response

(h) JAL 28/11/2013 Case No. IRN 21/2013 State Reply: 24/01/2014; 25/02/2014 **Alleged executions of individuals belonging to minority groups in violation of international human rights law.**

Character of reply: addresses some substantive issues

53. The Special Rapporteur thanks the Iranian Government for the two replies, providing brief information on the charges and history of proceedings against Messrs. Habibollah Golparipour (or Gholpari-poor) and Reza Esmaili. He deeply deplores the information on the execution of both individuals on 26 October 2013, which, according to the information received, did not comply with international human rights law standards. In this regard, he would like to recall that the "most serious crimes" provision under international law requires that only the offence of intentional killing may be punishable by death in countries which have not yet abolished the capital punishment. Furthermore, the most stringent respect of fair trial and due process guarantees must be ensured in death penalty cases. He invites the Government to provide additional detailed information on how the highest respect of the aforementioned international law standards was ensured in both cases.

54. The Special Rapporteur further notes that no information has been provided in the Government's responses on the other 14 cases of execution mentioned in the communication of 28 November 2013. He strongly encourages the Iranian authorities to provide substantive replies on these cases as well.

(i) JAL 30/12/2013 Case No. IRN 25/2013 **Alleged execution in secret of four ethnic Arab men from Ahvaz, who were facing the death penalty.**

Character of reply: no response

(j) JUA 28/02/2014 Case No. IRN 1/2014 **Alleged risk of imminent executions in violation of international human rights law.**

Character of reply: no response

General observations

55. While looking forward to receiving additional information from the Iranian authorities in response to the communications of 7 October and 28 November 2013, the Special Rapporteur regrets that replies have not yet been provided on eight out of ten communications sent during the period under review. He invites the Government of the Islamic Republic of Iran to respond substantively to all of them.

56. The Special Rapporteur is particularly concerned about the high number of reported cases regarding the imposition of the death penalty in the Islamic Republic of Iran, in violation of a number of international human rights law standards. He notes with concern the official and non-official reports on the execution of several individuals whose cases were outlined in the communications sent during the period under review. Should the allegations be corroborated, he calls upon the Government to stay all executions of individuals on death row and to commute without delay their sentences. He also reiterates his call upon the Iranian authorities to bring its domestic legislation and practice in conformity with the international law requirements regarding the imposition of the death penalty in countries which have not yet abolished it. In this regard, he would particularly appreciate receiving a substantive and detailed reply to the communication dated 28 June 2013.

Iraq

(a) JAL 10/09/2013 Case No. IRQ 3/2013 State Reply: 21/10/2013; 11/11/2013 **Alleged implementation of the death penalty after trials that did not comply with international obligations.**

Character of reply: substantive

57. The Special Rapporteur thanks the Government of Iraq for the detailed response to this communication. He takes note of the information that, at the moment of the reply, there had been no plans to amend the Iraqi Code of Criminal Procedure. He appreciates the details provided on the domestic constitutional and legal provisions regarding the guarantees for a fair trial and due process. He would like to invite the Government of Iraq to provide further information on the implementation of these provisions in cases of the death penalty, as well as on measures undertaken to investigate any alleged violation of them. With regard to the Government's comments on the offences punishable by death, the Special Rapporteur would like to reiterate that international human rights law standards require that the death penalty may be imposed only for the crime of intentional killing.

58. At the same time, the Special Rapporteur regrets the decision of the Iraqi Government not to provide a complete list of all individuals who are currently on death row in Iraq. He reiterates his call to the Iraqi authorities to send such a list of all individuals who received death sentences, irrespective of the stage of the proceedings against them. He would appreciate that this list provides the full names of all individuals on death row and their identity, as well as details on the alleged offences for which they were sentenced to death, each stage of the proceedings on their cases and the measures undertaken to ensure the highest level of respect of international human rights law in each case. Finally, the Special Rapporteur would appreciate receiving the list of the 17 individuals reportedly executed in August 2013, in accordance with the Government's commitment in its response to enclose such a list.

(b) JUA 11/09/2013 Case No. IRQ 4/2013 State Reply: 11/11/2013 **Alleged violent attack against the residents of Camp Ashraf.**

Character of reply: substantive

59. The Special Rapporteur thanks the Government of Iraq for the detailed response to this communication. While welcoming the information on the swift opening of an investigation into the reported attack on 1 September 2013 against the residents of the Camp Ashraf and appreciating the details shared by the authorities in this regard, he would like to remind about the duty of the States to ensure that the investigations into all suspected cases of unlawful killings are prompt, impartial and thorough, and that the identified perpetrators are brought to justice. The Special Rapporteur would appreciate to receiving additional information on any measures taken to investigate the allegations on the involvement of the Iraqi security forces in this attack, as well as on the steps taken to guarantee the safety of the 42 individuals who survived the attack and all other residents at Camp Liberty. He invites also the Iraqi authorities to provide updated information on the current stage of the criminal inquiries on this case and, if applicable, their results.

(c) JUA 11/10/2013 Case No. IRQ 5/2013 State Reply: 03/02/2014 **Alleged risk of imminent execution after torture and proceedings that did not comply with international standards of fair trial.**

Character of reply: translation awaited

60. The Special Rapporteur thanks the Government of Iraq for its response. Noting that the translation available is a summary of the reply provided in Arabic by the Government, the Special Rapporteur looks forward to receiving the full translation of the text before formulating his observations on the case of Mr. Ahmad Nuri Badawi 'Abbas. At the same time, he notes that the Government's reply does not contain information in response to question 5 of the communication of 11 October 2013 regarding the reports of execution of 42 individuals on 9 and 10 October 2013. He strongly encourages the Iraqi authorities to provide detailed responses to this question as well.

(d) JUA 28/11/2013 Case No. IRQ 8/2013 **Alleged risk of imminent execution in violation of international human rights law.**

Character of reply: no response

(e) JUA 17/01/2014 Case No. IRQ 1/2014 **Alleged risk of imminent executions in contravention of international human rights law.**

Character of reply: no response

General observations

61. The Special Rapporteur thanks the Government of Iraq for the responses to three communications, while inviting the authorities to provide substantive replies to the other two communications sent during the period under review. The Special Rapporteur will follow with particular attention the developments regarding the investigations into the attack on 1 September 2013 against the residents in Camp Ashraf and the level of their compliance with international standards. He reiterates his deep concern about the continuing reports on the very high number of executions and individuals at risk of execution in Iraq, in violation of international human rights law, in particular of the most serious crimes provision and the standards on fair trial and due process. Should these allegations be corroborated, he calls upon the Government of Iraq to stay all executions and commute without delay the death sentences.

Israel

(a) JAL 10/04/2013 Case No. ISR 3/2013 **Alleged severe torture and death caused by Israeli Security Agency officers.**

Character of reply: no response

(b) JUA 02/08/2013 Case No. ISR 7/2013 **Alleged judicial harassment, stigmatization, physical attacks, torture in custody and an assassination attempt against a human rights defender; possible acts of reprisals.**

Character of reply: no response

General observations

62. The Special Rapporteur regrets that the Government of Israel has responded to none of the communications sent during the period under review. He strongly encourages the Israeli authorities to provide substantive replies to both letters.

Kenya

(a) JAL 04/09/2013 Case No. KEN 4/2013 **Alleged killing of a member of a human rights organisation.**

Character of reply: no response

(b) JUA 23/09/2013 Case No. KEN 6/2013 **Allegations of threats against a human rights defender and his family.**

Character of reply: no response

(c) JUA 26/09/2013 Case No. KEN 5/2013 **Alleged killing of a human rights lawyer and alleged harassment and intimidation of families of victims of enforced disappearances and human rights defenders, including for cooperating with the Working Group on Enforced and Involuntary Disappearances.**

Character of reply: no response

General Observations

63. The Special Rapporteur regrets that the Government of Kenya has as of yet not provided a response to either of the communications sent, particularly due to the serious allegations that were raised therein. The Special Rapporteur shares the concerns expressed by the Special Rapporteur on the situation of human rights defenders regarding the information received of alleged threats by a militia group to burn down the house of Mr. Maina Kai, Special Rapporteur on the rights to freedom of peaceful assembly and of association, and his family. (A/HRC/25/55/Add.3) He also expresses concern regarding the incidents of harassment and intimidation against human rights defenders in the country. In this context, the Special Rapporteur urges the Government to provide necessary and effective protection to individuals against whom death threats have been levelled and to ensure compliance with international standards of fair trial and due process in cases of extra-legal, arbitrary and summary executions.

Libya

UAL 13/08/2013 Case No. LBY 2/2013 **Alleged killing of a political activist.**

Character of reply: no response

64. The Special Rapporteur regrets the lack of reply to this communication and encourages the Government of Libya to respond substantively.

Mexico

(a) AL 12/06/2013 Caso No. MEX 3/2013 Respuesta: 27/08/2013 **Alegaciones de asesinato de un menor de 15 años de edad en manos de la policía, atentado de asesinato del Sr. Román Chávez, actos de intimidación, incluyendo amenazas y malos tratos al Sr. Mauro García Ruelas.**

Carácter de la respuesta: sustantiva

65. El Relator Especial agradece al Gobierno de México la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota de las informaciones proporcionadas por parte del Gobierno sobre las averiguaciones previas realizadas y agradecería recibir información adicional ofreciendo detalles sobre los avances en la investigación y la reparación adecuada recibida por parte de las víctimas y familiares del menor asesinado.

(b) AL 13/06/2013 Caso No. MEX 4/2013 Respuesta: 29/08/2013 **Alegaciones de secuestro y asesinato del Sr. Jorge Antonio Parral Rabadán, trabajador de la empresa los Caminos y Puentes Federales de Ingresos y Servicios Conexos (CAPUFE) y del Sr. Oscar García, oficial de aduanas.**

Carácter de la respuesta: sustantiva

66. El Relator Especial agradece al Gobierno de México la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota sobre las averiguaciones previas y trámites iniciados para la investigación sobre el caso del Sr. Jorge Antonio Parral Rabadán y del Sr. Oscar García. El Relator agradece los avances realizados en la identificación de los secuestradores, e insta al Gobierno en la importancia de continuar la

investigación para identificar e imputar los responsables de la planificación y operación del operativo.

(c) JAL 13/08/2013 Caso No. MEX 7/2013 Respuesta: 25/10/2013 **Presunto secuestro de migrantes y amenazas de muerte y actos de intimidación contra defensores de los derechos de migrantes.**

Carácter de la respuesta: sustantiva

67. El Relator Especial agradece al Gobierno de México la respuesta recibida. El Gobierno informa que se han implementado diversas acciones con el fin de proteger al Sr. Rubén Figueroa y al Sr. Fray Tomás González Castillo, así como al albergue para migrantes "la 72". El Relator Especial toma nota de las informaciones detalladas proporcionadas y agradece el aumento de las medidas cautelares o de protección para garantizar la seguridad e integridad física y psicológica de las víctimas.

(d) JUA 26/11/2013 Caso No. MEX 10/2013 **Presunto clima de violencia, intimidación y hostigamiento a defensores y defensoras de derechos humanos que trabajan en defensa del acceso a la tierra y a los recursos naturales.**

Carácter de la respuesta: sin respuesta

(e) JUA 06/12/2013 Caso No. MEX 12/2013 Respuesta: 20/01/2014; 10/02/2014 **Alegaciones de ejecuciones extrajudiciales, desaparición forzada y actos de tortura y malos tratos de habitantes del municipio de Iguala, estado de Guerrero, entre ellos un líder e integrantes de la Unidad Popular.**

Carácter de la respuesta: sustantiva

68. El Relator Especial agradece al Gobierno de México la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota sobre las averiguaciones previas iniciadas sobre el caso. El Relator reitera su preocupación sobre las alegaciones recibidas indicando la persistencia de un clima de violencia e inseguridad para los defensores y defensoras en México, y en particular, por la situación de riesgo que afecta a los periodistas, a los que trabajan por los derechos de las víctimas de violaciones por parte de agentes estatales, a los que trabajan por los derechos de las comunidades indígenas y campesinas, a las mujeres defensoras que trabajan por los derechos de las mujeres, y a los que trabajan por los derechos de los migrante.

Observaciones generales:

69. El Relator agradece al Gobierno las respuestas recibidas durante el periodo del presente informe. El Relator quisiera destacar la importancia de que se lleven a cabo investigaciones prontas, eficaces e imparciales para llevar ante la justicia a todos los individuos responsables de ejecuciones extrajudiciales, sumarias o arbitrarias.

Myanmar

(a) JAL 11/06/2013 Case No. MMR 9/2013 State Reply: 22/07/2013 **Alleged excessive use of force by law enforcement officials against a group of Rohingyas engaged in a peaceful protest, which included the fatal shooting of three Rohingya women.**

Character of reply: substantive

70. The Special Rapporteur thanks the Government of Myanmar for its response, and takes note of the Government's information on the facts. He would appreciate receiving

further detailed information on the evidence used and each stage of the investigation that led to establishing the facts and the conclusions, as reported, in particular on the necessity and proportionality of the lethal force used by the security officers. He invites also the Government to provide elements of reply on the allegations that post-mortem examinations were not conducted, and on the level of promptness of the medical care reportedly provided. In the meantime, he would like to remind of the need to ensure that investigations of all suspected cases of extra-legal, arbitrary and summary executions are thorough, prompt and impartial.

(b) JAL 22/07/2013 Case No. MMR 12/2013 State Reply: 29/10/2013 **Alleged death in custody following torture.**

Character of reply: addresses some substantive issues

71. The Special Rapporteur thanks the Government of Myanmar for its reply, and takes note of the Government's information on the facts. While welcoming the opening of an investigation on this case and the disciplinary measures taken against two police officers, the Special Rapporteur would appreciate receiving further details on any investigations carried out on the specific allegations of torture of Mr. U Than Htun, and how the photographs reportedly indicating signs of torture were used in this process. He would welcome also information on the evidence used to establish the conclusion that Mr. U Than Htun died from the injuries inflicted by himself, and the reasons of the denial to return his body and clothes to the family, as well as an update on the current stage of the investigation. In the meantime, he would like to remind the Government of the need to ensure that investigations of all suspected cases of extra-legal, arbitrary and summary executions are thorough, prompt and impartial.

Nigeria

UA 06/06/2013 Case No. NGA 3/2013 **Alleged risk of imminent execution of two prisoners on death row before available appeal procedures have been completed.**

Character of reply: no response

72. The Special Rapporteur regrets the lack of reply to this communication and strongly encourages the Government of Nigeria to provide a substantive response.

Norway

JUA 04/04/2013 Case No. NOR 1/2013 State Reply: 30/04/2014 **Alleged imminent risk of deportation of a human rights defender who may be at risk of enforced disappearance, torture and killing by Pakistani security forces, if forcibly returned to Pakistan.**

Character of reply: addresses some substantive issues

73. The Special Rapporteur thanks the Government of Norway for its reply. He welcomes the information regarding the deferment of the implementation of the decision to deport Mr. Mohammad Anwar Baloch, pending the review of his case by the immigration authorities. He will follow closely further developments on this case and, with reference to his mandate, he strongly encourages the Norwegian authorities to give due consideration to the information regarding Mr. Baloch's risk to be killed, if forcibly returned to Pakistan. The Special Rapporteur would appreciate receiving regular updated information on this case, as well as detailed responses to each of the questions raised in the communication.

Pakistan

(a) JUA 12/07/2013 Case No. PAK 4/2013 State Reply: 18/07/2013 **Alleged killing of a woman human rights defender and her sister, and attacks and death threats against her family members.**

Character of reply: procedural response

(b) JUA 04/09/2013 Case No. PAK 5/2013 State Reply: 04/09/2013 **Alleged serious acts of violence and ill-treatment of women and threats to journalists and human rights defenders.**

Character of reply: procedural response

(c) JUA 14/02/2014 Case No. PAK 2/2014 State Reply: 18/02/2014 **Alleged risk of imminent execution in violation of international human rights law.**

Character of reply: procedural response

General observations

74. The Special Rapporteur thanks the Government of Pakistan for the responses to all communications sent during the period under review. He regrets however the procedural nature of all three replies, and strongly encourages the Government to provide substantive responses.

Peru

JAL 20/02/2014 Caso No. PER 1/2014 **Presunto intento de desalojo forzado, amenaza de muerte y actos de coacción contra una defensora de derechos humanos por parte de agentes estatales.**

Carácter de la respuesta: sin respuesta

75. El Relator Especial lamenta que el Gobierno no haya respondido a esta comunicación y le alienta a responder a su carta de manera oportuna.

Philippines

JAL 22/08/2013 Case No. PHL 2/2013 **Alleged killings of three journalists.**

Character of reply: no response

76. The Special Rapporteur regrets the lack of reply to this communication and strongly encourages the Government of the Philippines to provide a substantive response.

Saudi Arabia

(a) JUA 04/03/2013 Case No. SAU 3/2013 State Reply: 30/04/2013 **Alleged risk of imminent execution after proceedings that did not comply with international standards on fair trial and due process guarantees, and the most serious crimes provision.**

Character of reply: addresses some substantive issues

77. The Special Rapporteur's observations on this case are presented in paragraphs 78-80 of this report.

(b) JUA 08/03/2013 Case No. SAU 4/2013 State Reply: 30/04/2013 **Alleged risk of imminent execution after proceedings that did not comply with international fair trial and due process guarantees, and the most serious crimes provision.**

Character of reply: addresses some substantive issues

78. The communication of 8 March 2013 was a follow-up letter to the communication sent on 4 March 2013 on the risk of imminent executions of seven individuals in Saudi Arabia, reportedly in violation of international human rights law standards. Although the Special Rapporteur thanks the Government of Saudi Arabia for its response to the communications on this case, he would like to express deep concern about the information from non-official sources that all seven defendants were executed on 13 March 2013. He would appreciate receiving updated information and a confirmation from the Government of Saudi Arabia regarding this fact.

79. With regard to the content of the Government's reply, the Special Rapporteur takes note of the information provided on the facts of the case. He further notes with deep concern that the list of alleged charges under which the individuals were sentenced to death, as outlined in paragraph 1 of the Government's reply, indicate a violation of the most serious crimes provision under international law, providing that only the crime of intentional killing may be punishable by death. Since the respective list refers to charges with no lethal consequences, the sentencing to death and the reported execution of the seven individuals seem to have occurred in violation of international standards on the imposition of the death penalty. He urges the Saudi authorities to bring its domestic legislation into conformity with the most serious crimes provision under international law, and refrain from any further death sentence or execution in violation of this standard.

80. Finally, the Special Rapporteur takes note of the Government's assurances that the defendants were not subjected to torture, and would appreciate receiving additional detailed information on any investigations conducted on the allegations of torture and their eventual results.

(c) JUA 07/10/2013 Case No. SAU 9/2013 **Alleged risk of execution following proceedings that did not comply with fair trial standards.**

Character of reply: no response

(d) JUA 31/01/2014 Case No. SAU 2/2014 State Reply: 12/02/2014 **Alleged detention and prosecution of a blogger and organizer of a conference to mark the "day of liberalism" on charges of insulting Islam and "apostasy".**

Character of reply: addresses some substantive issues

81. The Special Rapporteur thanks the Government of Saudi Arabia for its response. He would appreciate receiving additional detailed information on how the international standards on fair trial and due process were ensured at each stage of the proceedings against Mr. Raef Badawi. Information from non-official sources indicates that Mr. Badawi was sentenced to 10 years in prison, 1,000 lashes, and a 1 million Saudi Riyal fine. While welcoming, under the scope of his mandate, that the alleged charges did not entail a sentence of death, the Special Rapporteur is deeply alarmed about reports on the other violations identified in the case against Mr. Badawi. He shares the concerns expressed in this regard by a group of United Nations human rights experts in the joint News Release of

15 May 2014, entitled "Saudi Arabia: UN rights experts outraged by extremely harsh sentence against blogger" (available at: http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14597&LangID=E).

General observations

82. The Special Rapporteur thanks the Government of Saudi Arabia for its replies to the majority of the communications sent during the period under review. He strongly encourages the Government to provide a substantive response to the joint urgent appeal of 7 October 2013. The Special Rapporteur notes in particular that all cases raised during the reporting period concern the death penalty that has been reportedly imposed and / or implemented in violation of international human rights law, in particular of the most serious crimes provision and the standards on fair trial and due process. Should these allegations be corroborated, he calls upon the Government of Saudi Arabia to stay all executions and commute without delay all death sentences. He further urges the Saudi authorities to bring its domestic legislation and practice in conformity with the international law requirements regarding the imposition of the death penalty in countries which have not yet abolished it.

Somalia

(a) JAL 30/07/2013 Case No. SOM 2/2013 **Alleged killings of human rights defenders.**

Character of reply: no response

(b) JAL 15/08/2013 Case No. SOM 4/2013 **Alleged execution of Mr Abdirahman Hussein Jama Bille and Mr Abdillahi Hussein Ahmed Ayne, as well as thirteen other persons in Garowe.**

Character of reply: no response

(c) JAL 05/11/2013 Case No. SOM 5/2013 **Alleged killing of human rights defender Mr Mohamed Mohamud Tima'adde.**

Character of reply: no response

(d) JAL 06/12/2013 Case No. SOM 6/2013 **Alleged killing of a human rights monitor by the militant group Al-Shabaab, in Somalia.**

Character of reply: no response

General observations

83. The Special Rapporteur regrets that the Government of Somalia has as of yet not provided a response to any of the communications sent. The Special Rapporteur would like to reiterate that the State has a duty to protect. He expresses his hope that perpetrators will be brought to justice and families of the victims will obtain adequate redress.

South Sudan

UA 12/12/2013 Case No. SSD 2/2013 **Alleged execution of nine individuals in Juba and Western Bahr el Ghazal State of South Sudan.**

Character of reply: no response

84. The Special Rapporteur regrets the lack of reply to this communication and strongly encourages the Government of South Sudan to provide a substantive response.

Sri Lanka

(a) JAL 07/03/2013 Case No. LKA 2/2013 State Reply: 19/06/2013 **Alleged deaths in custody.**

Character of reply: addresses some substantive issues

85. The Special Rapporteur thanks the Government of Sri Lanka for its reply. He welcomes the information on the conduct of investigations in all three cases of deaths in custody, as well as on the disciplinary measures taken against police officers in the case of Mr. Koggala Marakkalage Thushara Samanthilake. He would appreciate receiving additional detailed information on the investigations carried out to verify specifically the allegations of attacks of the three victims by the police, and the evidence used in this regard. On the case of Mr. Chandrasiri Dasanayaka, the Special Rapporteur takes note that, at the moment of receipt of the Government's reply, the inquiries were still on-going. He invites the Government of Sri Lanka to provide updated information on the current stage of the proceedings in this case, and their eventual results. He would like to remind the Government, in this regard, of the duty of the States to ensure thorough, prompt and impartial investigations and prosecutions on all cases of extra-legal, arbitrary and summary executions.

(b) JAL 02/09/2013 Case No. LKA 4/2013 State Reply: 19/09/2013 **Allegations of excessive use of force, including lethal force, during a peaceful assembly, resulting in deaths and injuries.**

Character of reply: addresses some substantive issues

86. The Special Rapporteur thanks the Government of Sri Lanka for its reply. He takes note of the confirmation of three deaths following the events on 1 August 2013, in Weliweriya. The Special Rapporteur welcomes the information on the conduct of various inquiries into the case and would appreciate receiving updated details on their current stage and, if applicable, their results, prosecutions and penalties. He would like to remind the Government, in this regard, of the duty of the States to ensure thorough, prompt and impartial investigations and prosecutions on all cases of extra-legal, arbitrary and summary executions, as well as bring perpetrators to justice.

87. Furthermore, the Special Rapporteur invites the Government of Sri Lanka to provide additional information on how the use of force, including of firearms, by the security officers was compatible in this case with the principles of necessity and proportionality under international human rights law. In this regard, he would like to stress that these principles provide that, including in the context of violent assemblies, lethal force may be used as a last resort, with the sole objective of saving life.

(c) JUA 26/11/2013 Case No. LKA 5/2013 **Alleged death threats against a human rights defender broadcast by State media.**

Character of reply: no response

General observations:

88. The Special Rapporteur thanks the Government of Sri Lanka for its replies to two of the communications sent during the period under review. At the same time, he regrets that the communication of 26 November 2013 remains unanswered, and invites the Sri Lankan authorities to provide a substantive response to this letter as well.

Sudan

(a) JAL 15/08/2013 Case No. SDN 6/2013 **Alleged negative consequences of amendments to the Legislation on the Armed Forces of 2007 on the right to fair trial and due process, freedom of expression, the rights to liberty and security, the right to be free from torture and ill-treatment, and the right to life.**

Character of reply: no response

(b) JUA 17/10/2013 Case No. SDN 7/2013 **Alleged serious violation of international human rights standards.**

Character of reply: no response

General observations:

89. The Special Rapporteur regrets that the Government of Sudan has as of yet not provided a response to either of the communications sent. He considers the allegations very serious and trusts that responses will be provided shortly. The Special Rapporteur thanks the Government for the responses provided to two communications sent during the previous reporting period (dated 05/06/2012 and 03/08/2012). The Special Rapporteur shares the concerns expressed by the Special Rapporteur on the situation of human rights defenders regarding the reports received of excessive and disproportionate use of force by national security forces during a number of demonstrations in September and October 2013, (A/HRC/25/55/Add.3). The Special Rapporteur would like to reiterate that prompt, impartial and thorough investigations should be carried out in order to ensure that those responsible are brought to justice and punished.

Sweden

JUA 02/05/2013 Case No. SWE 2/2013 State Reply: 14/06/2013 **Alleged imminent deportation of a journalist asylum-seeker, who may be at risk of being tortured and killed by the Taliban, if forcibly returned to Afghanistan.**

Character of reply: substantive

90. The Special Rapporteur thanks the Government of Sweden for the detailed response as published, as well as for the confidential attachments to it. The Special Rapporteur notes the information that, at the time of the Government's response, the case of Mr. Shirzad was pending appeal proceedings, and welcomes the assurances on the absence of an imminent enforcement of the expulsion order. The Special Rapporteur would appreciate receiving further updated information on the case of Mr. Shirzad. He calls upon the Swedish authorities to ensure the most thorough verification of Mr. Shirzad's risk of being killed if forcibly returned to Afghanistan.

Switzerland

JUA 24/04/2013 Cas No. CHE 1/2013 Réponse: 08/05/2013; 08/05/2013; 08/05/2013 **Allégations de risque de déportation imminent de plusieurs demandeurs d'asile.**

Caractère de la réponse: traite des questions de fond

91. Le Rapporteur spécial remercie le gouvernement suisse pour sa réponse. Il serait reconnaissant de recevoir de l'information supplémentaire et détaillée sur la situation actuelle des personnes mentionnées dans les deux cas, ainsi que les détails du processus d'analyse du risque d'être tué en cas de retour forcé au Sri Lanka et les éléments qui ont mené à la décision des autorités à cet égard.

Syrian Arab Republic

JUA 24/02/2014 Case No. SYR 4/2014 **Alleged attempted killing of the founder of the Kafranbel Media Centre.**

Character of reply: no response

92. The Special Rapporteur regrets the lack of reply to this communication and strongly encourages the Government of the Syrian Arab Republic to provide a substantive response.

Thailand

JAL 02/04/2013 Case No. THA 3/2013 State Reply: 02/07/2013 **Alleged killing of an environmental rights defender.**

Character of reply: substantive

93. The Special Rapporteur thanks the Government of Thailand for the detailed response on this case. He welcomes the information on the conduct of investigations into this case, as well as the identification and arrest of three suspects. He further welcomes the information on the plans of the authorities to undertake also disciplinary actions on this case, as well as on the payment of compensation to the family of the victim.

94. The Special Rapporteur would appreciate receiving updated and detailed information on the current stage of the criminal proceedings regarding the death of Mr. Prajob Naopas, as well as on the eventual results of the respective investigations and prosecutions, and penalties applied. He would like to remind the Government, in this regard, of the State's duty to ensure thorough, prompt and impartial investigations and prosecutions on all suspected cases of extrajudicial, summary or arbitrary executions, as well as to bring the identified perpetrators to justice, irrespective of who they are.

Tunisia

JAL 09/08/2013 Cas No. TUN 1/2013 **Allégations d'assassinat d'un responsable politique.**

Caractère de la réponse: pas de réponse

95. Le Rapporteur spécial regrette l'absence de réponse à cette communication et invite le gouvernement de Tunisie à répondre au plus vite et d'une manière détaillée aux allégations et questions formulées.

Turkey

(a) JUA 27/03/2013 Case No. TUR 2/2013 State Reply: 09/04/2013 **Alleged risk of deportation, as well as of torture and execution in case the deportation takes place.**

Character of reply: addresses some substantive issues

96. The Special Rapporteur thanks the Government of Turkey for its reply, informing that, at the time of the response, there was no decision to deport Ms. Khadijeh Mohibati from Turkey and that Ms. Mohibati declared her wish to return to the Islamic Republic of Iran. In parallel, reports were received from non-official sources indicating that Ms. Mohibati's case was reopened for review and her stay in Turkey was extended to 2014. The Special Rapporteur invites the Government of Turkey to confirm this information. Should this information be confirmed, he welcomes such a decision and would appreciate receiving updated and detailed information on the current situation of Ms. Mohibati. He would also appreciate a detailed reply from the Turkish authorities on both questions contained in the communication of 27 March 2013.

(b) JUA 14/06/2013 Case No. TUR 3/2013 State Reply: 06/09/2013 **Allegations of excessive use of force during peaceful protests.**

Character of reply: substantive

97. The Special Rapporteur thanks the Government of Turkey for its detailed reply to this communication that concerned the demonstrations held in Istanbul and throughout the country from 28 May 2013. He takes note of the Government's comments on the factual elements of the case, while recalling the international concerns expressed about the broad and vague definition of terrorism in Turkey. Within the remit of his mandate, the Special Rapporteur welcomes the information regarding the opening of a series of investigations, in particular those undertaken in relation to the deaths that occurred and those initiated against police officers in terms of the charges of injury and / or exceeding the limits of the right to use of force. He notes that, at the time of the response, the investigations were still in progress. In this regard, the Special Rapporteur would appreciate receiving additional and detailed information on the current stage of the investigations, including those related to all deaths that occurred in the context of the protests in May and June 2013 in Turkey, and in particular to the deaths of the four individuals mentioned in the communication. He further invites the Turkish authorities to provide also information on any prosecutions carried out, penalties applied, and compensation granted to the victims or their families. In this regard, he would like to remind the Government of the State's duty to ensure thorough, prompt and impartial investigations and prosecutions on all suspected cases of extrajudicial, summary or arbitrary executions, as well as to bring the identified perpetrators to justice, irrespective of who they are.

98. With regard to the allegations on the use of force by law enforcement officials, the Special Rapporteur takes note of the Government's information on the issuance of a new circular by the Turkish Ministry of Interior, stipulating the principles governing the use of force. He would appreciate being provided with the text of the circular and expresses hope that its provisions comply fully with the international human rights law principles of necessity and proportionality on the use of force by law enforcement officials. While welcoming the Government's assurances that firearms were not used by the police to disperse the protesters, the Special Rapporteur would like to receive detailed information on each stage of use of so-called "less lethal" weapons by law enforcements officials, the instructions they received on their use and their compliance with the aforementioned international principles. In this regard, he would like to refer to his findings and recommendations contained in the report on his country visit to Turkey in 2012

(A/HRC/23/47/Add.2), and in particular to paragraph 19, stating that "the use of so-called "less lethal" weapons, such as pepper spray and tear gas, can also constitute lethal force if they are used in an excessive manner that results in death, of which the Special Rapporteur heard several times. The lawfulness of such use is regulated by the same principles of proportionality and necessity – as understood under international human rights law – as any other weapon employed by law enforcement officials. To the extent that the weapons have been used excessively not to save life, but to maintain public order, these cases may also constitute unlawful killing."

Ukraine

JUA 20/02/2014 Case No. UKR 1/2014 **Alleged excessive use of force against, killings, injuries, enforced disappearances of, and/or arbitrary arrests and detention of, largely peaceful protestors and journalists in the context of Euromaidan ("Independence Square") protests.**

99. The Special Rapporteur regrets that the Government of Ukraine has not yet replied to this communication and strongly encourages it to provide a substantive response.

United Arab Emirates

JUA 09/01/2014 Case No. ARE 1/2014 State Reply: 16/04/2014 **Alleged risk of imminent execution of five foreign nationals in violation of international human rights law standards.**

Character of reply: addresses some substantive issues

100. The Special Rapporteur thanks the Government of the United Arab Emirates for its response. He regrets, however, the limited reply provided, and would appreciate receiving detailed answers to all three questions formulated in the communication of 9 January 2014.

101. The Special Rapporteur is particularly concerned about the Government's indication that Mr. Ravindra Krishna Pillai was executed. Should the allegations of the proceedings against the defendant be corroborated, the Special Rapporteur maintains his concern that the death penalty may have been imposed and carried out against Mr. Krishna Pillai in violation of international human rights law standards regarding the imposition of capital punishment in countries which have not yet abolished it.

102. With regard to the other four individuals whose cases were raised in the communication of 9 January 2014, the Special Rapporteur welcomes the Government's information that, at the time of the response, the death sentences against them had not yet been executed. He would appreciate receiving updated information on their current situation, as well as detailed responses on the compliance of the proceedings against them with international standards requiring the most stringent respect of fair trial and due process safeguards in death penalty cases, as well as prohibiting the imposition of capital punishment against persons with mental illness. Given the information received on these cases, the Special Rapporteur reiterates his deep concern that the death penalty may have been imposed against the four individuals in violation of international human rights law. He urges therefore the authorities in the United Arab Emirates not to execute the four individuals referred to, and commute without delay the death sentences against them.

United Republic of Tanzania

JAL 18/03/2013 Case No. TZA 1/2013 State Reply: 26/03/2013 **Alleged killings of persons with albinism (PWA).**

Character of reply: substantive

103. The Special Rapporteur thanks the Government of the United Republic of Tanzania for its response. The Special Rapporteur welcomes the measures taken by the Government such as conducting public awareness campaigns and providing shelters to persons with albinism for purposes of protection. The Special Rapporteur would like to recall the need to ensure thorough, prompt and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions as well as the need to bring to justice the identified perpetrators.

United States of America

(a) UA 11/06/2013 Case No. USA 8/2013 **Alleged imposition of the death penalty after proceedings which did not comply with international human rights law standards of fair trial and due process guarantees.**

Character of reply: no response

(b) UA 19/07/2013 Case No. USA 9/2013 State Reply: 09/08/2013 **Alleged imposition of the death penalty on Mr X, an individual reported to suffer from psychosocial disabilities in violation of due process safeguards.**

Character of reply: addresses some substantive issues

104. The Special Rapporteur thanks the Government of the United States of America for its response and welcomes the decision to stay the execution.

(c) UA 31/07/2013 Case No. USA 11/2013 State Reply: 13/08/2013 **Alleged imposition of the death penalty on an individual with psychosocial disabilities.**

Character of reply: addresses some substantive issues

105. The Special Rapporteur thanks the Government of the United States of America for its response. He deeply regrets however the Government's confirmation of the fact that Mr. John Ferguson was executed on 5 August 2013. Should the allegations in the communication be corroborated, the Special Rapporteur maintains his concern that the death penalty against Mr. Ferguson may have been imposed and carried out in violation of international human rights law standards. In this regard, he would like to remind that, under international human rights law standards, it is prohibited to impose capital punishment against individuals with mental illness. He urges the authorities of the United States of America to ensure full respect of this standard. The Special Rapporteur would appreciate receiving detailed information on how the reports on Mr. Ferguson's alleged mental illness, as well as the allegations of judicial error in his case, were considered during the proceedings against the defendant.

(d) JAL 29/11/2013 Case No. USA 17/2013 **Alleged killings of at least 19 persons as a consequence of alleged abuses committed by the United States Army 3rd Special Forces group, known as Operation Detachment Alpha (ODA).**

Character of reply: no response

(e) JUA 03/12/2013 Case No. USA 19/2013 State Reply: 19/12/2013 **Alleged prolonged solitary confinement and imminent execution of a death row prisoner, following a trial that did not strictly observe death penalty safeguards.**

Character of reply: addresses some substantive issues

106. The Special Rapporteur thanks the Government of the United States of America for its response. The Special Rapporteur would appreciate receiving additional information regarding the basis for the decision to execute Mr. Askari Abdullah Muhammad. He urges the Government of the United States of America to have due regard for due process and fair trial concerns in all matters involving the imposition of the death penalty.

(f) JAL 20/12/2013 Case No. USA 21/2013 **Alleged unlawful killings and injuries following an air strike, involving use of armed drones.**

Character of reply: no response

(g) UA 17/01/2014 Case No. USA 3/2014 **Alleged imposition of the death penalty on a Mexican national in violation of international human rights standards.**

Character of reply: no response

(h) UA 10/02/2014 Case No. USA 4/2014 **Alleged risk of imminent execution in violation of international human rights law.**

Character of reply: no response

General observations

107. The Special Rapporteur regrets that, at the time of the finalisation of this report, no substantive responses had been transmitted to several communications sent during the reporting period and he trusts that the Government will provide responses to those communications shortly. He is concerned about the number of death sentences imposed and executions carried out in circumstances where compliance with international standards on fair trial and due process are doubted, in particular, in matters involving individuals who are alleged to suffer from mental illness. He reiterates that international law regards the death penalty as an exception to the fundamental right to life and that it must be applied in the most restrictive manner, only being carried out pursuant to a final judgment rendered by a competent court after legal processes which give all possible safeguards to ensure a fair trial.

Venezuela (Bolivarian Republic of)

(a) JAL 05/04/2013 Caso No. VEN 3/2013 **Supuesto asesinato de un líder indígena.**

Carácter de la respuesta: sin respuesta

(b) UA 30/09/2013 Caso No. VEN 6/2013 **Alegación de asesinato de un menor y amenazas de muerte y actos de intimidación a varios miembros de la familia Barrios.**

Carácter de la respuesta: sin respuesta

Observaciones generales

108. El Relator Especial lamenta que en el momento de finalizar este informe no se había recibido respuesta a dos de las comunicaciones enviadas. El Relator confía en que se lleven a cabo investigaciones de forma pronta y adecuada sobre las alegaciones expuestas en los casos de cara a esclarecer los hechos y llevar a los culpables ante la justicia.

Yemen

(a) JUA 06/08/2013 Caso No. YEM 2/2013. **Alleged risk of imminent execution of a juvenile offender, after proceedings that did not comply with international standards of fair trial and due process.**

Character of reply: no response

(b) JAL 19/12/2013 Caso No. YEM 4/2013. **Alleged death in custody of a 23-year-old man as a result of the use of excessive force by prison officers.**

Character of reply: no response

(c) JAL 20/12/2013 Caso No. YEM 5/2013. **Alleged unlawful killings and injuries following an air strike, involving use of armed drones.**

Character of reply: no response

109. The Special Rapporteur regrets that the Government of Yemen has not yet responded to this communication, and strongly encourages it to provide a substantive reply. He would like to remind the Yemeni authorities that each State has the duty not to allow violations of human rights and humanitarian law on its territory by any domestic or foreign actor, as well as to conduct thorough, prompt and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions.

General observations

110. The Special Rapporteur regrets that the Government of Yemen has not yet responded to any of the three communications sent during the period under review, and strongly encourages it to provide substantive replies to all of them.

State of Palestine

JUA 20/08/2013 Caso No. PSE 2/2013. **Alleged risk of imminent execution and alleged executions carried out in violation of international human rights standards in the Gaza Strip.**

JUA 20/08/2013 Caso No. OTH 7/2013. **Alleged risk of imminent execution and executions carried out in violation of international human rights standards in the Gaza Strip.**

Character of reply: no response

111. The Special Rapporteur regrets the absence of reply on the case raised in the communications sent on 20 August 2013 to both the Government of the State of Palestine and the de facto authorities in Gaza, and strongly encourages a substantive response. He

takes note with concern of the information from non-official sources that Mr. Hani Mohammed Abu Aliyan was executed in October 2013, which, according to the reports outlined in both communications, may have been unlawful. The Special Rapporteur is particularly concerned about the continuing reports on the imposition and implementation of the death penalty in violation of international human rights law standards, especially in Gaza. He would like to recall his previous observations in this regard (paragraph 75, A/HRC/23/47/Add.5). He urges both the Government of the State of Palestine and the de facto authorities in Gaza to take resolute measures to stop immediately any further imposition and implementation of the death penalty in violation of international human rights law standards, and to commute all such death sentences.

VI. Observations to cases transmitted and replies received to communications sent prior to the reporting period

Brazil

(a) JAL 06/07/2011 Case No. BRA 5/2011 State Reply: 25/09/2013 **Alleged killings of human rights defenders.**

Character of reply: addresses some substantive issues

112. The Special Rapporteur thanks the Government of Brazil for its response and for the efforts carried out to safeguard the rights of human rights defenders as well as the establishment of an interministerial group, coordinated by the General-Secretariat of the Presidency, to monitor the situation of human rights defenders. However, the Special Rapporteur remains deeply concerned about the number of situations involving killings of, and threats against journalists and human rights defenders in the country. Finally, the Special Rapporteur calls on the Government to ensure that the perpetrators of these killings are brought to justice and that the victims' families obtain compensation.

(b) UA 11/04/2012 Case No. BRA 4/2012 State Reply: 29/08/2013 **Alleged killing of environmental rights defender and death threats against another human rights defender.**

Character of reply: substantive

113. The Special Rapporteur thanks the Government of Brazil for its response and appreciates the information provided concerning the case of Mr. João Chupel Primo and Ms. Lygia Zamali Fernandes. While recognising the steps taken by the Government to improve the protection of human rights defenders, he would like to recall paragraph 4 of the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, according to which it "effective protection through judicial or other means shall be guaranteed to individuals and groups who are in danger of extra-legal, arbitrary or summary executions, including those who receive death threats.

(c) UA 23/08/2012 Case No. BRA 9/2012 State Reply: 29/08/2013 **Alleged death threats against human rights defender.**

Character of reply: addresses some substantive issues

114. The Special Rapporteur thanks the Government of Brazil for its response. He welcomes the Program of Protection to Victims and Threatened Witnesses and the Program of Protection of Human Rights Defenders.

115. However, he shares the concerns expressed by the Special Rapporteur on the situation of human rights defenders regarding the continuous climate of violence and pressure – involving killing, harassment, intimidation and criminalisation – experienced by members of organisations, social movements and indigenous communities defending environmental and land-related rights. (A/HRC/25/55/Add.3).

Colombia

(a) JUA 17/12/2012 Case No. COL 13/2012 Respuesta: 20/06/2013; 02/08/2013; 13/08/2013 **Presunto asesinato de un defensor de los derechos de las víctimas y alegaciones de una ola creciente de amenazas y actos de intimidación contra defensores de los derechos de las víctimas y sus familiares.**

Carácter de la respuesta: sustantiva

116. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota de las indagaciones realizadas con respecto a los casos mencionados en la comunicación y agradece las informaciones sobre el presunto asesinato del Sr Miller Angulo. Sin embargo, el Relator Especial llama la atención sobre la necesidad de insistir en la toma de medidas de protección para garantizar la seguridad de los y las defensores de derechos humanos y de sus familiares.

(b) UAL 29/01/2013 Caso No. COL 1/2013 Respuesta: 02/05/2013 **Presunto asesinato, actos de intimidación y acoso, incluyendo amenazas de muerte y malos tratos de activistas sindicales.**

Carácter de la respuesta: sustantiva

117. El Relator Especial agradece al Gobierno la respuesta recibida a la comunicación arriba mencionada. El Relator Especial toma nota del procedimiento ordinario del programa de protección descrito en la respuesta el cual contempla el trámite y las funciones de los órganos competentes en materia de valoración del riesgo y asignación de las correspondientes medidas de protección. Sin embargo, el Relator Especial agradecería recibir información complementaria sobre las investigaciones que se hayan llevado a cabo con respecto a los casos mencionados en la comunicación, y en particular en referencia al presunto asesinato de la Sra. Rosa Helena Bernal Pinto.

India

(a) UAL 11/02/2013 Case No. IND 1/2013 State Reply: 12/02/2013; 06/08/2013 **Alleged execution after proceedings that did not comply fully with fair trial and due process guarantees.**

Character of reply: addresses some substantive issues

118. The Special Rapporteur thanks the Government of India for its response. He would appreciate receiving further detailed information on how the right to a fair trial and due process guarantees, as understood under international human rights law, were ensured at each stage of the proceedings against Mr. Ajmal Kasab. In particular, he would be grateful to receive detailed responses to the allegations regarding the impediments of the defendant's lawyer to have sufficient time to prepare the defence's case and to cross-examine adequately the witnesses and evidence used by the prosecution, the defendant's limited access to his lawyers during the proceedings at both the High and Supreme Courts, and the conduct of his execution in secret. In this regard, the Special Rapporteur would like

to remind the Government that international human rights law requires the proceedings in death penalty cases to meet the highest level of respect of fair trial and due process safeguards, at least equal to those contained in article 14 of the International Covenant on Civil and Political Rights. Ensuring full transparency at every stage of the proceedings, including through prior information of the convicted persons, their family members and lawyers, is a crucial element of this requirement.

(b) JUA 28/09/2012 Case No. IND 24/2012 State Reply: 08/08/2013 **Allegations of new acts of harassment against members of the Peoples Movement Against Nuclear Energy (PMANE) and other human rights defenders.**

Character of reply: addresses some substantive issues

119. The Special Rapporteur thanks the Government of India for its response, and takes note of its comments that the allegations contained in the Joint Urgent Appeal of 28 September 2012 are, according to the Government, baseless. He would appreciate to receive additional detailed information from the Indian authorities on the process and evidence used to establish the facts and conclusions that the principle of proportionality was respected during the use of force by the police. Furthermore, he would be particularly grateful to be provided with detailed information on any investigations carried out with regard to the reported deaths of Mr. Udayakumar, Mr. Anthony Samy and Mr. Sahayam Francis. In this regard, he would like to reiterate that the principles of necessity and proportionality under international human rights law require that lethal force may be used by law enforcement officials as a last resort and solely with the objective of saving life. Finally, he would like to remind the Indian authorities of their duty to ensure thorough, prompt and impartial investigations on all suspected cases of extrajudicial, summary or arbitrary executions.

(c) JAL 15/02/2012 Case No. IND 3/2012 State Reply: 06/08/2013 **Alleged killing of human rights defender.**

Character of reply: addresses some substantive issues

120. The Special Rapporteur thanks the Government of India for its response. He welcomes the Government's information on investigations and prosecutions conducted in the case of Mr. S. Bhuvaneswaran's killing, as well as on protection measures granted to the victim's family. Noting that, at the time of the response, judicial proceedings were ongoing, the Special Rapporteur invites the Government of India to provide updated and detailed information on the current stage of the criminal proceedings in this case, the charges issued against each accused, and, if applicable, the results of the proceedings and the penalties applied. Finally, he would appreciate a response to question 4 of the communication of 15 February 2014, soliciting information on any protective measures put in place to ensure the safety of Mr. S. Bhuvaneswaran, prior to his death.

Iran (Islamic Republic of)

JUA 09/01/2013 Case No. IRN 1/2013 State Reply: 12/08/2013 **Alleged imminent execution of members of the Kurdish community.**

Character of reply: addresses some substantive issues

121. The Special Rapporteur thanks the Government of the Islamic Republic of Iran for its response. At the same time, he regrets that the verdict of the death penalty was upheld in this case. In this regard, he invites the Government to provide additional details on each stage of the judicial proceedings against the defendants, their current status, and the compliance of each stage of the proceedings with the international standards of fair trial and

due process guarantees. He would particularly appreciate the Government's response on the allegations that the defendants were tortured, with the aim of forcing them to confess, as well as on any investigations undertaken by the Iranian authorities regarding these allegations. Should these allegations be corroborated, the Special Rapporteur would like to express concern that the death penalty may have been imposed in this case in violation of international human rights standards. He would like to remind the Government in this regard that international human rights law requires the proceedings in death penalty cases to meet the highest level of respect of fair trial and due process safeguards, at least equal to those contained in article 14 of the International Covenant on Civil and Political Rights.

Saudi Arabia

JUA 21/02/2012 Case No. SAU 4/2012 State Reply: 26/09/2013 **Alleged risk of death sentence.**

Character of reply: addresses some substantive issues

122. The Special Rapporteur thanks the Government of Saudi Arabia for its response and takes note of the Government's comments on the factual elements of the case. He particularly welcomes the Government's information on the fact that the defendant did not receive a death sentence, and calls upon the Saudi authorities to ensure the highest respect of the rights and freedoms of Mr. Hamza Kashgari.

Sudan

(a) JUA 05/06/2012 Case No. SDN 2/2012 State Reply: 17/05/2013 **Alleged sentencing to death by stoning for adultery.**

Character of reply: substantive

123. The Special Rapporteur thanks the Government of Sudan for its response. The Special Rapporteur appreciates the information provided regarding the case of Ms. Intisar Sharif Abdallah. The Special Rapporteur expresses concern at the number of allegations received of sentences of death contrary to international standards, in particular, those death sentences to be carried out by stoning for allegations of adultery, which is not regarded as a most serious crime under international law, the only offences for which the death penalty may be imposed and urges the Government to refrain from imposing death sentences in such instances.

(b) JUA 03/08/2012 Case No. SDN 5/2012 State Reply: 17/05/2013 **Allegations of excessive use of force in the context of peaceful demonstrations resulting in killings, injuries and torture and ill-treatment, and mass arrests.**

Character of reply: substantive

124. The Special Rapporteur thanks the Government of Sudan for its response. The Special Rapporteur is concerned with the reports received of excessive and disproportionate use of force by national security forces. In this respect, he would like to refer to the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990). Moreover, he stresses the importance of ensuring that the international law understanding of the principles of necessity and proportionality is applied stringently in all legislative and policy acts at domestic level.

Syrian Arab Republic

JUA 02/11/2012 Case No. SYR 9/2012 State Reply: 06/06/2013 **Allegations of arbitrary arrests, incommunicado detention, killings and torture.**

Character of reply: addresses some substantive issues

125 The Special Rapporteur thanks the Government of the Syrian Arab Republic for its reply. He welcomes the information regarding the release of Mr. Maher Fawzi al-Hamoud. At the same time, the Special Rapporteur remains concerned about the situation of the other individuals whose cases were presented in the communication of 2 November 2012, and would appreciate more detailed information on them as well. In particular, he would be grateful to receive details about any investigations and prosecutions carried out in the reported cases of killings of Mr. Ahmad Ka'ake and Mr. Abd al-Ghani Ka'ake.

Tunisia

JAL 05/12/2012 Cas No. TUN 6/2012 Réponse: 25/11/2013 **Allégations d'assassinat d'un activiste politique et syndicaliste.**

Caractère de la réponse: traite des questions de fond

126.Le Rapporteur spécial remercie le gouvernement de la Tunisie pour sa réponse. Il prend note des commentaires du gouvernement sur les circonstances du cas, ainsi que de l'information que, au moment de réception de cette réponse, les enquêtes respectives étaient encore en cours. Par conséquent, il serait reconnaissant aux autorités tunisiennes de lui faire parvenir de l'information actualisée et détaillée sur le stade actuel des enquêtes et toute autre procédure engagées contre les responsables de l'assassinat de M. Mohamed Lotfi Nagiedh, ainsi que sur leurs éventuelles résultats. Il encourage les autorités tunisiennes à continuer les enquêtes d'une manière prompte, approfondie et impartiale, en conformité avec le principe 9 des Principes relatifs à la prévention efficace des exécutions extrajudiciaires, arbitraires et sommaires et aux moyens d'enquêter efficacement sur ces exécutions. Le Rapporteur spécial apprécierait enfin de recevoir des réponses sur les questions relatives aux allégations de menaces de mort reçues au préalable par la victime, les raisons de refus de protection par les autorités de police et toute enquête menée sur ces menaces.